

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE TERRORIST ATTACKS ON
SEPTEMBER 11, 2001

Civil Action No.
1:03 MDL 1570 (GBD) (FM)

ALICE HOGLAN, *et al.*,

Plaintiffs,

V.

THE ISLAMIC REPUBLIC OF IRAN, *et al.*,

Defendants.

This Document Relates to
1:11 Civ. 7550 (GBD) (FM)

PLAINTIFFS' DAMAGES INQUEST MEMORANDUM

EXHIBIT B

SUMMARY OF PLAINTIFFS' CLAIMS AND RELATIONSHIPS TO DECEDENTS

The following is a compilation of excerpts, with some synoptical comment by Plaintiffs' counsel, of information within the individual Plaintiffs' files relating to each Plaintiff's relationship to a 9/11 Decedent and the impact the death of the 9/11 Decedent had on the Plaintiff. These summaries come largely from the declarations of the Plaintiffs, in this case and in Havlish. It is organized by each Plaintiff's family, with individual Plaintiff files within each family folder in Exhibit C. Many of the family declarations, read in context with each other, support each other in ways too numerous to note here.

This exhibit utilizes the numbers assigned to each Plaintiff, as used throughout the Plaintiffs' Damages Inquest submission, in order to facilitate the Court's access to each individual Plaintiff's evidence. It also organizes, within each family, the Plaintiffs by Categories A, B, and C, as discussed in the Plaintiffs' Damages Inquest Memorandum. Unnumbered paragraphs are Plaintiffs' counsel's introductory descriptions of some of the families' evidence, particularly where the estate was a plaintiff in Havlish.

Other related exhibits are as follows:

- Exhibit A is a spreadsheet which lists each Plaintiff and his/her relationship to a 9/11 Decedent; many, but not all of the estates of such 9/11 Decedents are plaintiffs in either Havlish or Hoglan.
- Exhibit C is a CD which contains each individual Plaintiff's sworn testimony in the form of a written declaration; some have supporting declarations of other family members, and other materials.
- Exhibit K is a spreadsheet which is embedded with simple arithmetic equations in the rows and columns to facilitate the Court's tabulations of damages. For the Hoglan Estate Plaintiffs, the spreadsheet has entries for the damages assessment appearing in the expert report

of Dr. Stan Smith. The proposed solatium awards for Family Member Plaintiffs are not entered. The proposed 1:3.44 punitive damages multiplier is embedded in appropriate equations.

It bears emphasis that these excerpts and synopses cannot fully capture the pathos of the tragic losses felt by the declarants, nor the totality of the immediacy of the family relationships described. Thus, these summaries are best utilized as reminders of who is who and of some of the heartrending stories the actual declarations tell in more detail and with better context.

FAMILY OF MARK KENDALL BINGHAM

1. The **Estate of Mark Kendall Bingham** is represented by the estate's personal representative, Alice Hoglan (a/k/a Alice Hoagland). Mark Bingham was a passenger on United Airlines Flight 93; he was the last person to board the plane. A former rugby player at the University of California, Berkeley, Mark participated in what the 9/11 Commission described as "The Battle for United 93." *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States*. Washington, D.C.: National Commission on Terrorist Attacks upon the United States, 2004, pp. 10-14. Mark ran a successful public relations firm in San Francisco, California, and in the summer of 2001, opened a satellite office in New York. Havlish Declaration of Gerald Bingham, ¶6. His father, Gerald Bingham, is a Plaintiff in Havlish et al. v. bin Laden, et al. Civ. No. 03-CV-9848-GBD 03, MDL 1570 (GBD)(FM) ("Havlish").

In addition to the Estate of Mark Kendall Bingham and his mother, Alice Hoglan a/k/a Alice Hoagland, individually, twelve additional family members are Plaintiffs in this case. Decedent's parents, Gerald Bingham and Alice Hoagland divorced a few months after his birth. Declaration of Alice Hoagland, ¶5. Mark Bingham's father remarried and he and his wife, Michelle Arthurs, lived in Miami when Mark was a child and participated in Mark's upbringing

along with her daughter, Kelly Arthurs. Gerald Bingham remarried again shortly before 9/11, to Karen Bingham, who became Mark's stepmother. Her two daughters became Mark's step-sisters. Alice Hoagland depended heavily on member of her own family while raising her son Mark as a single mother, and some of them, too, are Plaintiffs in this case.

Category A - Immediate Family Members

2. Decedent Mark Kendall Bingham is survived by his mother, Plaintiff **Alice Hoglan a/k/a Alice Hoagland**. In Alice's Declaration, she explains:

My son was born May 22, 1970 in Phoenix, Arizona. Divorced from Mark's father in 1971, I had long since returned to my family's home to raise my son in the Miami, Florida area. Mark and I lived at my parents' home. My mother, Betty J. Hoglan and my father Herbert K. Hoglan supported my son and me throughout his early childhood, providing emotional and financial support to us both. My sister Candy, Mark's aunt and my three brothers, Linden, Lee and Vaughn, lived together at my parents' home, growing in love and support for one another. My siblings felt more like an older sister and brothers to my son, since there was barely more than a decade that separated them in age. They melded Mark into the family and considered him to be a little brother. When Mark was eight years old, he and I moved, along with our entire immediate family, to California.

Declaration of Alice Hoagland, ¶¶5, 6.

Alice describes her last conversation with Mark. On the morning of 9/11, she was staying with her brother Vaughn and his wife Kathy when the house phone rang at 6:44 a.m. PST.

I learned of the attacks of that dreadful morning from Mark himself, who phoned the family from his doomed plane. Mark said, "I just want to tell you I love you. I am on a flight from Newark to San Francisco. There are three guys on board who have taken over the plane and they say they have a bomb." He did not share with us the fact that he was one of a small group of four to possibly six men - former college football, rugby and basketball players among them - who had, a few moments before, devised a plan to storm the cockpit and gain control of the aircraft.

Declaration of Alice Hoagland, ¶11.

Alice relates what Sen. John McCain expressed at one of the memorial services for her son at Cal Berkley. “Senator McCain said, ‘I did not know Mark Bingham, but I wish I had. He was a good rugby player and a good son. I may very well owe my life to Mark and the others,’ referring to the widely held belief, since confirmed by 9/11 mastermind, Khalid Sheik Mohammed, that the UA Flight 93’s hijackers’ intended destination was the U.S. Capitol building.” Declaration of Alice Hoglan, ¶13.

9/11 marked a turning point in my life. I have struggled to come to grips with the fact that my son is no longer alive. Sometimes his death, even now, hits me like fresh bad news. I have lost my only child, who loved his mom and all his family, and made our lives joyous.... I’m just glad he cannot see me now. My health has suffered. I have developed Addison’s disease. Under doctor’s care now, I have dealt with bouts of severe depression. Still, as Mark would have wanted me to, I have resolved to make the most of my remaining life.

Declaration of Alice Hoagland, ¶14.

Category B – Functional Equivalents of Immediate Family Members

The evidence presented from each of Mark Bingham’s surviving relatives, when read together, reveal how each person performed the function of an immediate family member in Mark’s life with his binuclear family. Mark Bingham’s binuclear family may not have been the prototypical American family, but it really is not all that unusual in modern day America. More importantly, its two halves were both very close to Mark, and were always loving and supportive of him in the manner of immediate family. Alice Hoagland and her son Mark Bingham moved in and lived with her parents and siblings shortly after his birth and continued to live with them for most of Mark’s childhood, first in Miami, Florida, and then in California. But he also reunited with, and remained very close to, his father’s family. In both halves of his binuclear family, as his step-sister says, Mark “was always the center of attention.” Declaration of Heather Strickland, ¶8.

3. Decedent Mark Kendall Bingham was survived by his grandfather, **Herbert Hoglan**, deceased, who was a citizen of the United States and a resident of the State of California. Herbert Hoglan lived with Mark during his early years, and helped to support the Mark Bingham from shortly after birth until he was murdered on 9/11. Alice Hoagland is the Personal Representative of the Estate of her father, Herbert Hoglan, who died on March 8, 2013. In her Declaration on behalf of her father, Alice explains the close relationship between her parents and her only son.

In the summer of 1970, when I was 20 years old, my then husband and my three-month-old son, 'Kerry' and I traveled from Phoenix to live under the same roof with my parents and siblings in my parents' family home near Miami Florida. My marriage was troubled, and did not last... I was extremely grateful to my parents for helping me at that low point in my life... Grandpa Herb and Grandma Betty were the sole caregivers for my growing son during those years as I finished my college education and later, into the late 1970s, during those numerous lengthy absences I was forced to take as a flight attendant. My son loved his Grandpa Herb and Grandma Betty and looked to them for protection and guidance in every facet of his young life. His grandparents provided Kerry and me with the roof over our heads and all the food we put into our mouths for several years, from 1970 to 1975... Dad housed us again, beginning in 1977, when our entire family relocated, first to southern California, then to Northern California.

Declaration for the Estate of Herbert Hoglan by Alice Hoagland, PR, ¶6, 8, 9.

Midmorning on September 11, 2001, Herb and Betty were awakened by a phone call from their children. We were miserably certain that Mark had been killed, but hadn't gotten official word from either the airlines or the FBI. So Mark's grandparents rushed to Vaughn's house where all their children were gathering, and stayed there most of that day and the days following

Declaration for the Estate of Herbert Hoglan by Alice Hoagland, PR, ¶12.

4. Decedent Mark Kendall Bingham is also survived by his uncle, **D. Linden Hoglan a/k/a D. Linden Hoagland**, a citizen of the United States and a resident of the State of California. Linden Hoglan explains life with Mark, who was called "Kerry" when he was a toddler, who Linden considered like a brother:

... after the army and graduate school, I brought my wife Ruth Mary to live in the family home in Miami. Those were our early married years. Alice and her

growing toddler “Kerry” had long been part of the household of Betty and Herbert, our mother and father, by the time I returned home with Ruth Mary.... My wife and I did our part. During that period, we lived with the entire family and with Kerry as a toddler to second grade, from 1974 to 1977. Then later in southern California, we lived with Kerry for another three years or so from 1977 through 1979. During both of these stretches of time, we loved him and offered him all the financial support we could, along with much emotional support. Ruth and I were present in my little nephew’s life for most of his growing- up years and beyond.... Just as we had all lived together in Miami, in 1978 we all settled together in California. We migrated first to Riverside, where Kerry (Mark) went to church every Sunday with Ruth Mary and me, just as he had done as a toddler-through- first -grader in Miami.

Declaration of D. Linden Hoglan, ¶¶5-8.

In the hours following the crash of Flight 93, Linden Hoglan

... strove to help our parents Betty and Herb, by that time very frail. Mark’s Grandma Betty suffered from pernicious bone marrow cancer, and Grandpa Herb was nearly deaf and suffering from heart disease. Alice and I drove to her home, where they were living, and retrieved our parents so they could join the rest of their children at our brother Vaughn’s home, and face a mob of television cameras I stayed at Alice’s home in the days immediately following 9/11. I was asked to handle the nonstop barrage of telephone calls for the next few days.... Mark’s death has changed all of us in our family and it has changed me. I am still trying to recover from the shocking circumstances of his death.

Declaration of D. Linden Hoglan, ¶14.

5. Decedent Mark Kendall Bingham is also survived by his uncle, **Lee N. Hoglan**, a citizen of the United States and a resident of the State of California. In his Declaration, Lee N. Hoglan explains: “My brother Vaughn and Mark who we called Kerry and I shared a bedroom in our family home for years in the early 70’s.” Declaration of Lee N. Hoglan, ¶5. “When Mark was about age 7, our entire family moved from Miami to southern- and then later to northern California.... Kerry and our entire family lived in my Riverside, California home, then in his grandparents’ new home in Riverside.” Declaration of Lee N. Hoglan, ¶10.
6. Decedent Mark Kendall Bingham is also survived by his uncle, **Vaughn V. Hoglan**, a citizen of the United States and a resident of the State of California.

I was fourteen when, in the summer of 1970, my older sister Alice brought her three -month old son Kerry to live with us all in the family home in Miami. My brother Lee and I treated the little guy like a little brother and folded him right into the family.... We certainly were not skilled at childrearing but we must have done something right, because he loved us and sought us out, as we did him, all throughout our lives.

Declaration of Vaughn V. Hoglan, ¶4. Vaughn Hoglan continues:

On September 11, 2001, my wife Kathy and I were awakened and called to the phone just as morning was breaking here in Saratoga, California. It was Mark calling from hijacked United Airlines Flight 93, at 9:44 a.m. Eastern Time. He told us: "I just want to tell you guys I love you in case I don't see you again." Mark's mom, who had been staying with my wife and me, spoke briefly to Mark too, but the phone call was dropped in the overload of panicked passengers phoning loved ones from the hijacked airplane. The three of us, Kathy, Alice and I, awakened only moments earlier, stood in the kitchen in our nightclothes. We struggled to do something effective in that terrible situation, as we turned on the television to see footage of a Boeing 767 disappearing in a giant ball of flame into the side of the WTC South Tower.

Declaration of Vaughn V. Hoglan, ¶14.

7. Decedent Mark Kendall Bingham is also survived by his aunt, **Candyce Sue Hoglan**, a citizen of the United States and a resident of the State of California. Candyce Hoglan lived with her nephew, Mark Bingham, from the time he was born and she was ten years old until he was twelve and she was 22, and they were much more like a brother and sister.

I was ten years old and the youngest of five children. My older sister, Alice, had given birth to Mark on May 21, 1970... Shortly thereafter she and Mark came to live with the rest of our family at my parents' home in North Miami, Florida... He grew up with us all living together as a family: me, Alice, my brothers and my parents... Since Mark and I were only ten years apart in age, I felt like a protective big sister more than an aunt, changing his diapers as an infant, and helping to raise him during the early years when we lived together growing up. I moved to California in November of 1982, and lived with Alice and Mark in an apartment in Monterey, California. I was twenty-two and Mark was twelve... Mark and I had many shared interests, including comedy and rock and roll music.

¶¶4, 5 Declaration of Candyce Hoglan.

September 11 has changed my daily life. I am still a flight attendant so I am in a unique situation in dealing with my grief in the loss of Mark... It has been

difficult to continue in my career... Not surprisingly, my physical and mental health deteriorated for a while. I attended counseling sessions for the first couple of years. I was diagnosed with PTSD. It was a lot to deal with going back to work as a flight attendant. I would be haunted by Mark's experience every single time I set foot on an airplane....

Declaration of Candyce Hoglan, ¶11.

8. Decedent Mark Kendall Bingham is also survived by his stepmother, **Michelle Arthurs**, a citizen of the United States and a resident of the State of Florida, who was married to the Decedent's father, Gerald Bingham, when their children were small. Their children, Kelly and Mark, had previously both been the only children of their parents, and so they became brother and sister when their parents married, and Michelle and Gerald made an effort to foster the sibling relationship between Mark and Kelly.

Mark or "Little Jerry" as we always called him, was Gerald Bingham's only biological child. Gerald and I divorced in 1976, but we remained good friends and so my daughter and I always spent time with Mark whenever he came to visit his father in Florida. My daughter, Kelly, remained close to Gerald and has always considered him her father. Kelly and Mark were very close in age, and Gerald and I raised them as brother and sister. When we were married, I was a stay-at-home mom. "Little Jerry" was just a baby, only about one and a half when I married his father Gerald. My daughter, Kelly was only about 11 months older... Mark was with us quite often because his mother traveled, and we loved to have him with us.... Even after Gerald and I were divorced, we stayed close and kept the kids together. We even took the kids on a trip to Disney World together after our divorce..... I asked the people I worked with not to talk to me about 9/11 because I could not handle it. I asked them to go about the business of the day, and my coworkers respected that. I was sad for a long time, but I just put up a wall between my emotions and functioning. I felt as if I had lost my son. I may have only been his step-mother, but to me he was a big part of my life.

Declaration of Michelle Arthurs, ¶¶5, 9. See also ¶9, below.

9. Decedent Mark Kendall Bingham is also survived by his step-sister, **Kelly Arthurs**, a citizen of the United States and a resident of the State of Florida. Kelly Arthurs and Mark Bingham lived together as brother and sister until their parents' divorce but their relationship did not end there, but rather was a bond that lasted into adulthood.

When Mark was two and I was three my mom, Micki Arthurs, married Gerald Bingham. He would call his father, “Dad” and naturally, I followed suit. My biological father died when I was seven and even before that I rarely saw him. To this day, Mark’s biological father is still my “Dad”. Mark’s father, Gerald, has always and still does fill that role of father for me. We continue to have a close, father/daughter relationship today. Mark has always been my brother. We grew up together. When we were young and Mark’s mother was training to be a flight attendant, Mark lived with us most of the time. My mom was at home, our dad was running a restaurant and Mark’s mom was flying because of her job.

Declaration of Kelly Arthurs, ¶5. See also ¶8, above.

10. Decedent Mark Kendall Bingham is survived by his stepmother, **Karen Bingham**, who is the current wife of Gerald Bingham. She is a citizen of the United States and a resident of the State of Tennessee. Karen Bingham and Gerald Bingham were a couple for seven years before getting married in 2000. Declaration of Heather Strickland, ¶8.

It has been over ten years since our lives changed,” Karen Bingham writes in her Declaration. “My husband and I still cry almost daily. I still have not been able to accept this, move on, or even come to terms with this loss. All it takes is to hear a song that Mark and I would dance to, or fix a meal that I know he liked and the emotions come flooding back. The hurt I feel today is as strong today as it was 10 years ago. There is a hole in my heart that will never be filled. The pain never goes away.

Declaration of Karen Bingham, ¶11.

11. Decedent Mark Kendall Bingham is also survived by a stepsister, **Michelle Lynn Clendenney**, daughter of Karen Bingham. She is a citizen of the United States and a resident of the State of Florida.

It was at their [parents’] wedding that Mark said something to me that I will never forget. I said to him, ‘It’s official, we are finally step-brother and step-sister,’ and his reply was, “Steps are something you climb to get to your destination, and I believe we have reached our destination... the marriage made it legal, but family is what’s in your heart.”

Declaration of Michelle Lynn Clendenney, ¶6.

12. Decedent Mark Kendall Bingham is also survived by a stepsister, **Heather Strickland**, daughter

of Karen Bingham. She is a citizen of the United States and a resident of the State of Florida.

We are simple people that come from small places and we do not go very far from home. The family discussed going to New York City with [Mark] for New Years Eve in 2002. When Mark talked about wanting us to do this, all I could think was that Mark has lost his mind to take us all there. We would die there. He would laugh and say you could all see what I fell in love with. My favorite moment is when our parents got married. They were together for 7 years prior to marriage and we never thought it would happen. [Mark] served me drinks (he was acting as bartender, he was always the center of attention) and telling me stories of his life, his career and his love for his father Jerry and my mom Karen. That is one day that I love to remember. I wish that was all I could remember, but the tragedy of 9/11 will always come to mind to ruin all of these fond memories. I do everything I can to always remember the good times.

Declaration of Heather Strickland, ¶8.

Category C – Other Functional Equivalents of Immediate Family Members

13. Decedent Mark Kendall Bingham is also survived by his aunt, the wife of Vaughn Hoglan, **Kathleen Brady Knudsen Hoglan**, a citizen of the United States and a resident of the State of California. Kathy explains her relationship with Mark:

Vaughn and I started dating in 1988 and married in June, 1992. While we were dating, and then later, when we were newlyweds, I was pleased that Mark chose to hang out with us. He spent lots of time with his big close-knit family, and now I was a part of that family.... It was no time at all before Mark was living with Vaughn and me several nights weekly, while he worked at one of his jobs early in his career as a public relations representative for 3Com Corporation... As Vaughn had done when he was single, we continued, after we were married, to support Mark somewhat as he struggled to begin and grow his fledgling business. Besides money, we pitched in with support for our busy up-and-coming public relations executive, offering lots of home-cooked meals, encouragement, and a place to bed down when Mark needed it... As the years went by, we all grew even closer. My own family was drawn into Mark's circle. My parents enjoyed his outlandish antics. Mark and my brothers grew to be close friends, sharing fishing and boating vacations and generally goofing off together. We all were inseparable for every Thanksgiving and Christmas and all our birthdays. Vaughn and I still have Mark's Christmas gift of a framed, hand-lettered poem he composed for the two of us.... Vaughn and I have five children, born in quick succession. Very often our home in those early days was in noisy chaos with babies crying and various family members rushing around to feed and change and dress them. Mark became one of those eager caregivers. He was on hand to film the birth of our second daughter Jillian, on the Fourth of July, 1999. When our

triplet sons were born on March 14, 2001, he raced down from the east San Francisco Bay for the occasion. I can just see him cradling one or the other of his infant cousins in his arms as he rocked them to sleep. As the children grew, Mark spent many an afternoon pushing them in baby strollers or on backyard swings, or tossing around a Nerf football with them in our big backyard... On the morning of September 11, 2001, the phone rang at 6:44 a.m. It was Mark. "I just want to tell you I love you, in case I don't see you again." Awakened only a moment before, I struggled to take it all in. Mark's United Airlines flight to San Francisco had been hijacked by Islamist terrorists. "We love you too, Mark. Let me get your mom." Alice took the phone and spoke for a few minutes to her son before the line went dead. Within an hour of the last phone call of Mark's life, our home was filled with television cameras and reporters, and neighbors, and Mark's friends.

Declaration of Kathleen Brady Knudson Hoglan, ¶¶5, 7-9, 11, 13.

14. Decedent Mark Kendall Bingham is also survived by his aunt, wife of Lee Hoglan, **Julie Bertelsen Hoglan**, a citizen of the United States and a resident of the State of California.

FAMILY OF SIEW NYA ANG

15. The **Estate of Siew Nya Ang** is represented by Plaintiff Kui Liong Lee, a citizen of the United States and a resident of the State of New Jersey and her surviving spouse. Siew Nya Ang worked for Marsh USA Company as an insurance broker. Her office was located on the 97th floor of the North Tower of the World Trade Center. Siew Nya Ang and her husband, Kui Liong Lee, were both from Malaysia, but they met in college at Southwest Louisiana University.

We had our children in '93 and in '97. While work was demanding, we spent a lot of time together as family enjoying each other. We took the girls to Singapore and to Hong Kong. We went to a park in New Jersey a lot during weekends. In the summer, sometimes we would drive to New England. And we also went to Disney Land [*sic*]. It was a good time for us and the children really gave her joy and contentment. We bought our first house in '95. And when the children get older we moved to a new area which is where we stay. We were living the American dream... We could feel that our life was getting better and better. Everything was getting better, and then 9/11 happened. After I was not able to fully give them all the education that they can get, like piano lessons and dancing lessons and things like that. I had to cut down some of their programs because I could not deal with the stress. My wife was very protective of her children and she wanted to provide them every opportunity and she wanted to give them all of the things she could provide them. She wanted them to have

dancing lessons, music lesson, and swimming lessons, gymnastic... everything. And our girls had the talent to do it. But after 9/11, we just simply had to cut back. With the grief of losing her and not having a partner to help me, I could not do many things and my girls, they could not do that many things. That is what I feel sorry about. After 9/11, it was kind of too hard to do everything we used to do. But once in a while I still took them to the beach or to the park. But we went from ten times down to one or two times. It is kind of impossible for me to work a whole day, cook, take care of the laundry and everything else and still have energy for fun.

Declaration of Kui Liong Lee ¶¶8, 9

Category A -- Immediate Family Members

Siew Nya Ang is survived by three family members: her husband Kui Liong Lee, and their two daughters, Jeanee and Winnee, who are all Plaintiffs in this litigation. For the daughters, the tragedy includes not only losing their mother at such a tender age, but being deprived even of memories.

16. Decedent Siew Nya Ang is survived by her husband, **Kui Liong Lee**, a citizen of the United States and resident of the state of New Jersey.

I met my wife in Lafayette, Louisiana in 1985... I always joke about it with my friend because when I asked her out on a date I borrowed an old, kind of broken down car from my friend to take her to the movie. She came from a poor family and I worked other jobs to take her out and then support her and I even borrowed some money from my brother to help her education. We cooked together. I worked in a restaurant and learned how to cook, so when she missed her hometown cooking I would cook for her during the weekends. We spent all of our time together from '85 to '88, our college years. In 1988, she went with me to Texas where I got my MBA.... We went to counseling after my wife was killed. None of us took medication but we did sleep all three of us in one room. I had to sleep on the floor. If I am not mistaken, I slept on the floor for at least two to three years.... The first couple of years after 9/11 I struggled. Sometimes I have to control my anger sometimes, without any reason, I do not know it come from where, I just get angry. And then I feel sorry for my behavior. After I apologize, and sometimes we cry together when we talk about it.

Declaration of Kui Liong Lee, ¶¶8, 11.

17. Decedent Siew Nya Ang is survived by her daughter **Jeanee Lee**, a citizen of the United States

and a citizen of the United States and a resident of the State of New Jersey.

I do not have many memoirs of my mother, but there is one memory that I can actually distinctly remember. It is not really a huge memory. It is just something very kind of distant. When we lived in an apartment I remember I had to study a lot because I was in second grade and I had homework from Chinese school. I had quite a bit of difficulty understanding a lot of the Chinese school material that I was learning. My mom would make me stay in my room and keep studying. And then one day while I was studying, I could hear laughter down the hall and I did go out. My mom was tickling my sister on the bed. She let me take a break from studying and played with my sister and me for a while... She always did everything she could for my sister and me. I know that she and her family were very close.

Declaration of Jeanee Lee, ¶9.

18. Decedent Siew Nya Ang is survived by her daughter **Winnee Lee**, a citizen of the United States and a citizen of the United States and a resident of the State of New Jersey. “I was three years old when my mother was killed on 9/11. I do not really remember a lot because I was pretty young. I do not think I would remember what she looks like if we did not have any pictures of her.” Declaration of Winnee Lee, ¶4.

FAMILY OF MICHAEL ANDREW BANE

Decedent Michael Andrew Bane is survived by six Plaintiffs. His estate, his wife, Tara Bane Dellacorte, his father, Jack Donald Bane, and his sister, Christina Bane Hayes, were plaintiffs in Havlish. Three additional family members are Plaintiffs in this case. At the time of his death, Michael Bane was a Vice President at Marsh & McLennan Company. His office was on the 10th floor of the WTC North Tower. Havlish Declaration of Tara Bane, ¶7.

Category B – Functional Equivalents of Immediate Family Members

The family members of Michael Bane’s stepmother, Arline, and her two children, Brenda Jobe and Brian Major, all functioned as immediate family members for Michael Bane as he was growing up, providing the love and emotional support as would a typical nuclear family

for most of Michael's life. They lived with Michael throughout his teenage years, helping him through a traumatic and rocky period of his life, and remained very close to him afterward.

Arline and Michael's father are still married, and they would still be a family had he not been murdered on September 11, 2001. Arline functioned as Michael's mother and her children, Brian and Brenda fulfilled the role of Michael's siblings.

19. Decedent Michael Andrew Bane, is survived by his stepmother, **Arline Peabody a/k/a Arline Peabody Bane**, who is a citizen of the United States and a resident of the State of Delaware.

Michael's biological mother died in childbirth. Declaration of Christina Bane Hayes, ¶4. Arline Peabody and Michael's father, Donald Bane, met when Arline's daughter, Brenda Jobe and Michael attended summer camp together, and then ran away together. Declaration of Brenda Jobe, ¶4. Arline and Donald began dating in 1983, married in 1984 and they are still married today. After they were married, they "became a family of four children and two parents."

Declaration of Arline Peabody Bane, ¶4. Clearly, Arline fulfilled the role of mother for the Michael.

Michael worked for a rug company in Irvington then. There was some issue that needed to be solved and Michael told the owner that his mother would come to take care of it. It was the first time he had ever referred to me as his mother, and even though he never called me anything but "Arline," he always referred to me as his "mother", not stepmother. I was his mother for 18 years and I adored him.

Declaration of Arline Peabody Bane, ¶6.

20. Decedent Michael Andrew Bane is also survived by his stepbrother, **Brian Major**, a citizen of the United States and a resident of the State of Delaware. Brian has a cognitive disability. The family planned that Michael would provide for Brian's financial security after his mother, Arline Peabody, and Brian's stepfather and Michael's father, Donald Bane, could no longer take care of Brian. Declaration of Arline Peabody, ¶4. Brian says in his Declaration:

Michael and I were really good friends. So, he was not only my stepbrother, but he was also my friend. Growing up we slept in the same room for a long time and we just became very close. We were almost the same age. Our birthdays are in the same month, his was like the fourteenth and mine is the twentieth. When we lived at home we played basketball, watched sports or listened to music. Once he tried to teach me to play Dungeons and Dragons.... When Michael was married and lived with Tara I would go over to his house and play on his computer. I loved to play the games on his computer while he watched. Michael played the guitar. I have his guitar. His wife, Tara, gave it to my mother and my mom gave it to me. It has a sentimental value.

Declaration of Brian Major, ¶5.

21. Decedent Michael Andrew Bane is also survived by his step-sister, **Brenda E. Jobe**, a citizen of the United States and a resident of the State of Delaware. Brenda E. Jobe fondly recalls her teen years with Michael. When they were sixteen they purchased a car together. “Unfortunately, we did not get to share it for very long. We soon discovered that the car was significantly rusted and was, literally, falling apart.” ¶4 Declaration of Brenda E. Jobe. She also discusses the pain of losing Michael and how it still impacts her today:

For years after September 11, 2001, I would always take that day as a sick day. I turn the TV off and try to keep busy to keep my mind off what day it is. Our family is simply not the same since Michael’s death. Family get-togethers happen only rarely now. When we are together there is always great pain at Michael not being there. We do not talk about him not being there. It is simply too painful to talk about.... Still, to this day, I have nightmares and keep dreaming about the Towers being hit, coming down in a cloud of smoke, and I see Michael’s face among all of this horror.

Declaration of Brenda E. Jobe, ¶7.

FAMILY OF JOYCE ANN CARPENETO

22. The **Estate of Joyce Ann Carpeneto** is represented by Plaintiff Joseph Carpeneto, a citizen of the United States and a resident of the State of New York and the Decedent’s only surviving sibling. Joyce Ann Carpeneto worked for General Telecom in the North Tower on the 81st floor. After the first tower was hit, she called her mother and told her not to worry, that she was alright

and that she was told not to evacuate the building. Joyce and Joseph's mother, Alice Carpeneto, was a plaintiff in Havlish. Havlish Declaration of Alice Carpeneto ¶¶9, 10.

Category A -- Immediate Family Members

23. Decedent Joyce Ann Carpeneto is survived by her brother, Plaintiff **Joseph Carpeneto** who makes a claim in his own right. Joseph Carpeneto writes in his Declaration:

We spent the next few weeks waiting for a phone call and searching for my sister. We went to every hospital and a friend of mine in the NYPD drove me around helping me check hospitals and hanging the flyers I made. We had a website and her [Joyce Ann's] ex-husband's father also put up a website with her picture stating that she was missing. These weeks took their toll on my family. My children cried for their Aunt Cookie, Joyce's nickname, and my mother needed prescription drugs to help her cope with Joyce's death. I have still not dealt with her death. I just keep putting it off for another day, and then another day, and then another day. I don't know how or when I will deal with her death, but I do not look forward to it.

Declaration of Joseph Carpeneto, ¶9.

FAMILY OF SANDRA WRIGHT CARTLEDGE

24. The **Estate of Sandra Wright Cartledge** is represented by Plaintiff Dian Dembinski, a citizen of the United States and a resident of the Commonwealth of Pennsylvania and a surviving sibling of the Decedent. Sandra Wright Cartledge was a Facilities Manager at Aon Corporation, located on the 102nd floor of the South Tower. Her spouse, Steven Cartledge, and her daughter, Michelle Wright, to whom she was speaking when United Flight 175 hit the WTC South Tower, were plaintiffs in Havlish.

Category A -- Immediate Family Members

Sandra Wright Cartledge was one of nine children. Five of her siblings are Plaintiffs. Michelle Wright describes how the family's actions in the aftermath of 9/11 demonstrate their devotion to the Sandra:

I think the next day my mom's brothers and sisters, rented a large van and they put bicycles in the back of the van and they got in and they all went into New York City. They parked the van, got on their bikes and rode all around New York.... They went to various hospitals to see if there were any Jane Doe's. They just got on their bikes and rode around looking for her. I need to explain how crazy and out of character this was for them all. They grew up in suburban Pennsylvania outside of Philly and they never really left and they don't venture very far. They are not super adventurous, traveling people.... There are nine brothers and sisters and lots of cousins and there are so many people that they have their own community and they don't really need to go anywhere else. They are kind of afraid of New York. This is a big scary city to them and they never came in, most of them never came into New York City. So this was a big thing for them to come do this for their sister.

Havlish Declaration of Michelle Wright, ¶7.

25. Decedent Sandra Wright Cartledge is survived by her sister **Dian Dembinski**.

I last saw my sister the week before the attacks. I last spoke to her the weekend prior to the attacks. Sandy had become a grandmother two months before 9/11. We were talking on the telephone and she wondered whether she should clean the house, or go visit her grandchild. I joked that she never cleaned, so she should definitely go see her grandson. She had waited so long to be a grandmother and she believed that she may not have the opportunity, so she was very excited when she learned that she would be one. Thankfully, she did go to visit her grandson, Graham, quite often even though she only had two months to do so. I am sorry that Sandy never met her granddaughter, Hudson Sandy.

Declaration of Diane Dembinski, ¶8.

26. Decedent Sandra Wright Cartledge is also survived by her sister, **Loretta Haines**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania.

My relationship with my sister could not have been closer.... At the time of her death, Sandra could not have been happier.... Sandra's body was never recovered.... The services we held for Sandra were very painful. Without a body, there was no sense of closure. The continued media coverage of the attacks is devastating to me.... The attacks of 9/11 have changed me forever.... Words cannot fully describe the effect that the loss of my sister on 9/11 has had on my life.

Declaration of Loretta Haines, ¶¶4, 6-8, 11, 13.

27. Decedent Sandra Wright Cartledge is also survived by her brother, **Stephen Bradish**, a citizen of

the United States and a resident of the Commonwealth of Pennsylvania.

I still don't feel the same over ten years later. Sandy would sometimes stop at my house on the way home from work and have dinner with my family. She treated my wife, Janet, in the same way she would my other sisters. "Aunt Sandy" also had a special place in her heart for our four children, too. She used to take them to the theater. They never would have been exposed to cultural events without my sister. Her loss affected the entire household. Sometimes, I still think that I will get a phone call and my sister will be on the other end of the line.... Sandy was approaching the best part of her life when the terrorist attacks occurred. She deserved to retire and spend time with her grandchildren and was robbed of this because of terrorism. The people working at the World Trade Center were innocent civilians who did nothing more than show up at their desks for work that day.

Declaration of Stephen Bradish, ¶¶11, 14.

28. Decedent Sandra Wright Cartledge is also survived by her brother, **Jack Bradish a/k/a John Bradish**, who is a citizen of the United States and a resident of the State of North Carolina. See above ¶¶ and all family declarations. "We were a very tight-knit family growing up. I had six sisters and two brothers. We didn't have much money but we learned to lean upon each other out of necessity." Declaration of Stephen Bradish, ¶4.

After two weeks, even though I still didn't want to hear it or say it, I acknowledged that it was time to have a memorial service for her and to not be living in limbo anymore. We planned a really big memorial service in Pennsylvania. A couple hundred people came out and it was really difficult, but also kind of lovely. My mom's older brother, Jack, wanted to give the eulogy and, although I wanted to give it, I acquiesced. Their parents died when they were all fairly young, Uncle Jack became the patriarch of her family for a long time and he really felt like it was his responsibility. He couldn't get through it. After a couple of lines he was a mess. So I did have a eulogy prepared and I did get up and give the eulogy. Everybody was crying but I also had people laughing. I made it about all of the good things that we were going to remember about her.

Havlish Declaration of Michelle Wright, ¶9.

29. Decedent Sandra Wright Cartledge is also survived by her sister, **Geraldine Deborah Spaeter**, who is a citizen of the United States and a resident of the Commonwealth of Pennsylvania. See above ¶¶ and all family declarations.

FAMILY OF PETER CHIRCHIRILLO

Category A -- Immediate Family Members

Decedent Peter Chirchirillo worked for Marsh & McLennan Companies. His estate was a plaintiff in Havlish. He is survived by his wife Clara and his sisters Livia Chirchirillo and Catherine Deblieck, all of whom were also plaintiffs in Havlish. Peter Chirchirillo is also survived by his sons, Nicholas and Michael, who are Plaintiffs in this action. Nicholas Chirchirillo and Michael Chirchirillo are residents of the Commonwealth of Pennsylvania.

30. Decedent Peter Chirchirillo is survived by his son, **Nicholas Chirchirillo**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania.

I knew that my father's office was located on an upper floor, and I knew that he was in one of the towers, but I did not know which one. I watched the plane strike the tower several times in class, but I could not identify which one was hit. As I watched these events unfold on television while sitting in class at school, I thought to myself, no, this cannot be happening. I tried to contain my emotions or suppress my feelings. I was in 9th grade, and I did not want to burst out in tears in the middle of class. I attempted to avoid an embarrassing scene. I tried to contain myself. Of course, I was not certain where my dad worked, only that he was there. I tried to think about something else while trying to control my breathing and maintain my composure.... Mr. Davis noticed that something was unusual about my disposition. He came over to me during class and asked if I know of anyone who worked there. I lost all self control at that point. I just lost it. I guess just saying my dad worked at the World Trade Center opened the flood gates so to speak.

Declaration of Nicholas Chirchirillo, ¶3.

31. Decedent Peter Chirchirillo is also survived by his son, **Michael Chirchirillo**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania.

I was a teenager at the time of his death and like most teenagers, I did not always see eye to eye with my parents on every issue. It was a typical relationship. I was a teenager. I was stupid. Quite often, I did not see things his way at all. Now, I definitely see it his way. Over the past ten years my perspective on life has evolved, and I now reflect back on our time together, the lessons learned, and I truly understand where my father was coming from. But I will never have the opportunity to tell him that he was right.

Declaration of Michael Chirchirillo, ¶¶11, 14.

FAMILY OF JEFFREY ALAN COALE

Category A -- Immediate Family Members

During his career in the financial industry with Cantor Fitzgerald, Decedent Jeffrey Alan Coale attended culinary school in the hopes of opening his own restaurant. At the time of the 9/11 attacks, he was employed as an Assistant Wine Steward at Windows on the World, located on the 106th floor of the North Tower in the WTC. Jeffrey Alan Coale, was survived by his father, William Coale, who was a plaintiff in Havlish individually, and as Personal Representative of Jeffrey Alan Coale's estate. Havlish Declaration of William Coale, ¶4. Jeffrey Alan Coale is also survived by his mother, Joan Coale, and his sister, Leslie Coale Brown, who are both Plaintiffs in this case.

32. Decedent Jeffrey Alan Coale is survived by his mother, **JoanAnn Coale**, who is a citizen of the United States and a resident of the State of Maryland. She writes:

We do not know the pain and suffering our son felt before he died. He was trapped in what was a blazing inferno on the 107 floor above the impact site of the airplane. I don't even want to think about the last minutes of Jeff's life as they are incomprehensible to me and had to be horrendous.

Declaration of Joan Coale. ¶6.

33. Decedent Jeffrey Alan Coale is also survived by his sister, **Leslie Coale Brown**, a citizen of the United States and a resident of the State of Maryland. She recalls her brother Jeffrey:

He was three years younger than me and I was seven years younger than our oldest brother. There had been a sister in between my oldest brother and myself, but she died of a brain tumor at the age of eight. Jeffrey was born seven months after her death. He was truly a gift that got our family through a very dark time. Jeffrey and I grew up playing together and stayed close as we got older.

Declaration of Leslie Coale Brown, ¶4.

FAMILY OF DANIEL M. COFFEY AND JASON COFFEY

Decedents **Daniel M. Coffey** and his son, **Jason Coffey**, were both murdered on 9/11.

Daniel M. Coffey worked on the 94th Floor of the North Tower of the WTC. His son Jason Coffey worked on the 98th floor of the same building. Both of their estates and the individual claims of Frances M. Coffey, wife and mother of the Decedents, Daniel D. Coffey, M.D. and Kevin M. Coffey, sons and brothers of the Decedents were represented in Havlish. They were also survived by Jeanette Coffey, mother of Daniel M. Coffey and grandmother of Jason, and her husband, Daniel F. Coffey, now deceased, who was the father of Daniel M. Coffey and grandfather of Jason. Jeanette Coffey is a plaintiff in this litigation in her own right and as Personal Representative for the Estate of Daniel F. Coffey.

Category A -- Immediate Family Members

34. Decedent Daniel M. Coffey is survived by his mother, **Jeanette Coffey**, who is a citizen of the United States and a resident of the State of New York. Jeanette's daughter-in-law, Frances Coffey, wife of 9/11 Decedent, Daniel M. Coffey, states in her declaration on behalf of Daniel's parents:

I am the daughter-in-law of Jeanette and Daniel F. Coffey Jr. My husband was also named Daniel, as is one of my sons. I had called Jeanette and Daniel that morning of 9/11 after the attacks. I told them that they had to come over to my house and that I had something to tell them. We lived maybe ten minutes apart. They came over and they had been watching TV, so they basically knew what had happened. But they were in a state of shock when I had to tell them that we had heard that people had seen my husband Daniel and son Jason, and they got out of the building and we thought they were okay. But, that really was not what happened. People had seen them before the attack, but they did not see them come out of the building. So, my mother and father-in-law were all excited that their son and grandson were coming home. They stayed at our house and waited.

Declaration of Frances Coffey on behalf of Jeanette Coffey and the Estate of Daniel F. Coffey, Jr., ¶4.

35. Decedent Daniel M. Coffey was survived by his father, **Daniel F. Coffey**, now deceased.

After 9/11, Jeanette and Daniel did not change with us so much, but they became more withdrawn and definitely depressed. They had a therapist come to the house to help them. They were given medication for sleep and depression. Jeanette was put on Antidepressants, and so was Daniel. My father-in-law really became very depressed. He would not do any physical therapy. I would have to go over when the physical therapist would come because he just would not do it. Basically, he gave up. It was not that he could not, he just would not.

Declaration of Frances Coffey on behalf of Jeanette Coffey and the Estate of Daniel F. Coffey, Jr., ¶5.

Category B – Functional Equivalents of Immediate Family Members

Colleen McDonald was profoundly impacted by the death of her fiancé, Jason Coffey, to the point she was unable to function, and she has not been able to move on. Her connection with his family and the way in which her daughter carries Jason Coffey's last name reflects the commitment she and Jason shared.

36. Decedent Jason Coffey was survived by his fiancée, **Colleen McDonald**. Colleen was on the phone with Jason when the planes hit.

Hopefully he was unaware of what happened, but we do not know for sure. I just know that it was the most horrific sound I have ever heard in my life, and I never want to hear that sound again. I kept trying to call him back. I could not get him. He and I had known each other since we were probably 13 years old. We were in the process of planning our wedding, and we had just cleared out his grandparents' home.... We were getting ready to overhaul the house, and move into it. We had our wedding planned for December 7 of 2002. We had moved grandma and grandpa out of their house in May to one of those fifty-five and older apartments. It took a long time for us to clear that house out. You could not even begin to imagine the amount of things accumulated in that house. Around the end of August or beginning of September is when we were starting the paperwork. But we had not bought it yet. It was still in Grandma and Grandpa's name. And when everything happened, I said I could not live there. This was our dream. We already knew what we were doing in the kitchen. We knew what rooms were what. We had our whole decoration scheme picked out and to go there without him would be like to live half a dream.... Once my brother and I heard what happened, we got in the car and my brother drove me home. It took over 16 hours to get home because planes were grounded. Nobody knew what

was going on. We were the only ones driving north.... Once we got home we immediately went to Fran's, Jason's mother's house. I call her my mother-in-law. At the time my grandparents – or rather, Jason's grandparents were alive. I remember Jason's grandfather sitting me down and saying, "I want to talk to you. What happened?" He just wanted to like touch me because I was the one who had talked to him. It was so surreal and everyone was in shock, and at this time we all thought that he could still be alive. We hoped that they, Jason and his father, could still be alive. We got calls from the 9/11 people saying, "We found Jason. He checked in." Or, "We found Dan. He is in this group." And then we would get calls back saying, "Oh, no. That was a mistake. We are sorry." So for about two days this was going on. Because at the time we did not know how, if they were lucky enough to get out of the building, they would get home. People were taking ships or walking the bridge. We just had no idea. There were different spots that family members would go to and that you could check in with. And the Marsh people were helping to try and get in touch with all of their employees. It was absolutely miserable.... But about the tenth or so of November, we heard a knock at the door; it was a policeman. My dad was there and he went outside. We thought there were too many cars in the driveway. And my dad asked, "Oh, I'm sorry. Are we being loud?" Because the whole extended family was at the house all the time. The policeman came to tell us they had found some remains. My dad asked, "Who? Who is it?" And the policeman was confused, My dad had to sit the guy down because at the time he was the only one that kept rational, and he told him, "We lost two people. Can you tell us whose remains it is? Is it Jason's or Daniel's?" The first time they had found part of Jason. And ever since then every year or so we will be notified that more remains were found. After five years we made the decision to finally bury what we had of them.... The funeral was like experiencing 9/11 all over again. It was horrible. And a couple of weeks later, they found additional remains. This continued up until recently. They are still finding remains for us. So we have more remains at the mausoleum. It never ends. Fran was living here, near me, the last time we got word that there were more. So it was within the last year. Every notification causes us to relive the horribleness of 9/11 over again. Everyone says we should move on with our life and not to dwell on the loss, but how can we? It is constantly there for us. It is never a loss that goes away.... About seven years after Jason passed away, I adopted a daughter from Viet Nam and my mother-in-law, Fran, and I went to Viet Nam to get her. Rosemary Angelina Coffey McDonald. Rosemary is named after my grandmother, and Angelina is after Jason's grandmother who I was very close with; and obviously Coffey and McDonald.... We would always go off to these wedding weekends. We went down to the shore in Florida, to the panhandle, to Destin. We went to the Georgia Mountains. We would hang out at local restaurants like Gulleys, which was a bar and restaurant. He and I both have a ton of friends, so our friends became friends. We would stay at my best friend's apartment in Manhattan. This way we could get that last night together before heading back to work. We took pleasure in doing little things. We were always with our families, too. Before 9/11 happened, Fran, Jason's mother, my mother-in-law, used to constantly have parties at her house for all of the aunts and uncles.

Something was always going on whether it was at his house or the same thing would be happening at my house. My mom and dad knew has parents, but we were not one big happy family – they liked each other, but our families were not intertwined then. I think that is one thing he would be so happy about now is that we are always together. Fran moved to Texas and lives four doors down from me. She eats dinner at my house every night. We are all a family. And I think that our relationship is what would make him the happiest. Everybody's life just stopped. And I can not explain it any other way. It just – everything that we knew stopped. I have this space in my heart that just hurts constantly. It does not matter where I am or where I go, that does not change.... After 9/11, I suffered from severe stress and anxiety afterwards. I had to go on anxiety medicine. I would dream constantly of that phone call and then I would have horrible nightmares that I was carrying the remains they found and the only time that they told me, what they found. So in my dream, I was carrying a piece of Jason's arm. I still occasionally have that dream, but it was really bad to the point where I did not work for about six months. I stayed home. I was in New York and I would go to Fran's every day or she would come to my house because at this time people were going back to work and we were the ones that were not. September 11, 2001 put a massive amount of stress on my body. Years later, my neurologist attributes it to triggering my multiple sclerosis. But unfortunately, there is no proven way to determine how you get it. But that is pretty much what my doctors attribute it to. Even before I knew I had MS, I would be so sick with these headaches, surrounding the anniversaries of 9/11. I did not know it at the time, but I was having MS flares because of the stress of the anniversaries, or the finding of more remains. I have not remarried. I do not date. I am stuck. I was so young. I remember going to bed at night and thinking I am so blessed. I can clearly tell you I would go to bed and I would say somebody loves me so unconditionally. I love his family. He loves my family. We are going to have children together. We are going to build a family. And then, within an instant it was taken away from me. It was almost as if my dream was given back to me when they mistakenly told me he was alive. And then my dream became a nightmare again when they told me that it was a mistake, it was like he died again. So far I have not even met somebody that could hold a candle to him ever, because I still have this beautiful, perfect relationship. It is just not here. I died that day. The young, happy Colleen died that day. It was the most horrific thing you could really imagine happening. And I look at Fran, she lost a child and a husband. I love her. She is my second mother. Watching her pain constantly is so hard for me. And I try to keep her grounded and she does the same to me because sometimes we have different days that we are off. Sometimes we are both off together. Then, just stay away from us. Not only Jason and Dan lost their lives that day. We lost our lives, our hope and our dreams as well.

Declaration of Colleen McDonald, ¶¶5-10, 15, 17, 20, 22, 23.

Category C – Other Functional Equivalents of Immediate Family Members

37. Decedent Jason Coffey is survived by his grandmother, **Jeanette Coffey**. (This is the same person as in ¶34.) Jason was in the process of buying his grandparent's home where he planned to live with his fiancé, Colleen McDonald, when they got married. Declaration of Frances Coffey, ¶6.

My mother-in-law and father-in-law were at our house all of the time because we lived so close to each other. They would just drop in any time of the day and if they needed anything my husband would go over to the house and take care of it, or fix up things around the house or help them clean up or do whatever they needed. Before my sons moved away for college they were at their grandparents' house all the time.

Declaration of Frances Coffey on behalf of Jeanette Coffey and the Estate of Daniel F. Coffey, Jr., ¶7.

38. Decedent Jason Coffey was survived by his grandfather, **Daniel F. Coffey**, deceased. (This is the same person as in ¶35.)

They would come to our house for Christmas and the holidays. After 9/11, they did not want to come for the holidays very often. It was kind of a struggle to get them to come. They wanted to just stay in their apartment or their house, where before they would be more likely to come. Before 9/11, they would call and say, "Come and get me. I want to come over.

Declaration of Frances Coffey, ¶7.

FAMILY OF JEFFREY COLLMAN

Decedent **Jeffrey Collman** was a flight attendant aboard American Airlines Flight 11. His father, Dwayne W. Collman, and three siblings, Brian Collman, Charles Collman and Brenda Sorenson, were plaintiffs in Havlish. The Estate of Jeffrey Collman, represented by Keith Bradkowski as Personal Representative, is also a plaintiff in Havlish. His registered domestic partner, Keith Bradkowski, and seven other family members are Plaintiffs in this case.

Category A -- Immediate Family Members

39. Decedent Jeffrey Collman was survived by his mother, **Beverly Sutton**, now deceased, who was a citizen of the United States and a resident of the State of Illinois. Keith Bradkowski, who was Jeffrey Collman's registered domestic partner, is the Personal Representative for the Estate of Beverly Sutton. He writes in a declaration on her behalf:

... Beverly was devastated when he was killed. She wished she could have been closer to him than what she was. She had a lot of regrets. We had a lot of discussions revolving around that. I think that her getting close to me was a way to essentially touch Jeff. I was able to fill in a lot of gaps for her about years they had missed together. And she was kind enough to give me some of his baby pictures and things like that

Declaration of Keith Bradkowski on behalf of Beverly Sutton, deceased, ¶7.

40. Decedent Jeffrey Collman was survived by his half sister, **Carolyn Sutton**. Jeffrey and Carolyn shared the same mother. See ¶41.
41. Decedent Jeffrey Collman was survived by **Vicki Lynn Michel**, his half sister, who is a citizen of the United States and a resident of the State of Illinois. Jeffrey and Vicki Lynn shared the same mother.

Before the falling out, Jeffrey would take us with him when he would play tennis or run errands. I remember that he would call us little rug rats. We spent Christmas together and other holidays. I am the youngest child in our family. I have four older brothers and three older sisters. We are fairly close. When I was a child I was always excited to see all my brothers and sisters together.

Declaration of Vicki Lynn Michel, ¶8.

Category B – Functional Equivalents of Immediate Family Members

42. Decedent Jeffrey Collman is survived by **Keith Bradkowski**, his Domestic Partner under California law and a citizen of the United States and a resident of the State of California. Keith and Jeffrey were together for over eleven years before Jeffrey was murdered on 9/11/2001. After finding out that registered domestic partners had no legal rights if their partner died intestate,

Keith spent time lobbying to have a bill (AB2216) passed to change the law. Plaintiff Keith Bradkowski states in his Declaration:

Approximately two weeks after 9/11, I started experiencing recurrent nightmares helpless standing at the base of the World Trade Center, seeing Jeff's plane approaching and hitting the North Tower. I was unable to stop the nightmares. I was afraid to sleep, so I became sleep deprived. This went on for several weeks before finding a psychiatrist with expertise in grief counseling. I was prescribed antidepressants. On occasion, I still experience the nightmare. My master's degree is in psychiatric nursing. I studied grief, and the stages that a person goes through, but I could not appreciate or understand how overwhelming grief is until I personally experienced it. Jeffrey Collman was my life partner.

Declaration of Keith Bradkowski, ¶¶4, 12-13.

43. Decedent Jeffrey Collman is survived by **Kathryn Collman**, his stepmother, a citizen of the United States and a resident of the State of Illinois. Jeffrey's father, Dwayne, in his Declaration, talks about his large blended family: "I married Kathryn when Jeff was around eleven years old. We became a large family once we married. I had custody of my five children and she had three children." Havlish Declaration of Dwayne Collman, ¶4.

Jeff's father, Dwayne, and I both had children when we married. I had three from a previous relationship, and he had five, so we immediately became one large family. We raised our children together. Jeff was eleven years old when Dwayne and I married, he was the 4th oldest of our combined families. Jeff was born in the same year as my daughter, Susan, and they were very close growing up. For such a young boy, Jeff was quite the caretaker. He looked after his younger siblings. Also, the boys very much enjoyed playing tennis together.... Although we go on with our lives, enjoying our other children and grandchildren, Jeff is remembered and missed every day. We miss him dearly. Dwayne will sometime[s] say, "Hey, I want to go call Jeff!" and then realize he can't. Other times the phone will ring and I expect it to be Jeff calling telling us to guess where he is. Then I realize that it won't be him calling, nor will he ever call again, ever.

Declaration of Kathryn Collman ¶¶4, 7.

44. Decedent Jeffrey Collman is also survived by his stepbrother, **Charles Gengler**, a citizen of the United States and a resident of the State of Delaware. Dwayne writes: "Jeff was my second child. Growing up, Jeff would always play with all of his siblings." Havlish Declaration of

Dwayne Collman, ¶4.

Charles recalls happy family memories after the wedding of his mother and Jeffrey's father. "We did everything together as a family. We had every meal together, we played together, we watched TV together. We did everything together until Jeff and I moved out to begin our own separate adult lives." Declaration of Charles Gengler, ¶5. Charles and Jeff even shared birthday cakes and blew the candles out together every year. Id. Charles also fondly remembers:

Jeff was the best of my siblings. He brought nothing but kindness and gentleness to the world. He cared for my parents, and he was always loving and generous. He also gave our parents better gifts than any of us. He was a good man, and the world is less for his passing. I will never be as kind as Jeffrey. I will also never have the opportunity to communicate to him the respect I have for him.

Declaration of Charles Gengler, ¶4.

45. Decedent Jeffrey Collman is also survived by his stepsister, **Susan Bohan**. After hearing about the attacks, Susan was worried about her brother Chuck who worked in New York City. She called her mother and was told, "Chuck is fine. But we have not been able to get a hold of Jeff.' As soon as she said that, it was like somebody punched me in the stomach. I knew that anytime something happened, Jeff would call us." Declaration of Susan Bohan, ¶4.

Jeff and I were exactly three months apart in age. He was three months older than me so that put us in different grades in school, but we were at the same school. When our parents first got married it took a while to sort out relationships. Eventually we all became a big blended family. At school Jeff and I were like brother and sister, even though we had different last names. In our teenage years we were pretty close in a lot of things. We would watch television together, like the Brady Bunch, and we played games. Jeff and I both like to cook and... we made pizza for the whole family. We had ten people in our family that all lived together when our parents got married.

Declaration of Susan Bohan, ¶7.

46. Decedent Jeffrey Collman was survived by **Steve Gengler**, his stepbrother, who is a citizen of

the United States and a resident of the State of Illinois.

Jeffrey's father married my mother when I was a teenager. After our parents were married, the three Gengler children and the five Collman children all lived together. Jeffrey was about four year younger than me and I lived at home while I was going to community college which meant that we spent a good number of years in the same home.... Jeffrey loved to cook and bake. At family events he would share good food and a special bottle of wine. He always told wonderful stories about such things as volunteering to work at tennis tournaments. And he also told us great stories about flying or traveling with his job. It was always interesting to us because we do not fly very much or get around too much. He was a good uncle to my kids; he was a good influence on them. We always looked forward to spending time with him.

Declaration of Steve Gengler, ¶¶4, 8.

FAMILY OF WAYNE T. DAVIS

47. The **Estate of Wayne T. Davis**, is represented by Plaintiff Tanya Lynn Davis, his surviving spouse. Wayne worked for CALIXA, a software company and he was asked to attend a meeting in New York City at Windows on the World at the top of the WTC. Before that, Wayne had been in the U.S. Army's 82nd Airborne Division. Wayne's coworker David Burns, informed Tanya that they had been in touch with Wayne after the planes hit, and Wayne had taken charge and was leading everyone to the roof. Declaration of Tanya Davis, ¶11.

Category A -- Immediate Family Members

48. Decedent Wayne T. Davis is survived by his wife, **Tanya Davis**, who is a citizen of the United States and a resident of the State of Oklahoma. At the time of the attacks she was on active duty with the Navy and stationed at the Pentagon. She and Wayne met while both were in the military. Tanya had been accepted into Aviation Officer Candidate School and to avoid fraternization problems they got married. Despite the fact that Wayne had wanted to be in the military for his entire life, he gave it up so that Tanya could pursue her career. She became pregnant while she was stationed in Maryland. Wayne was thrilled to be a father and was very

involved with their children. Prior to 9/11, Tanya had put in for medical retirement from the Navy. Two days after she returned from New York, where she had been searching for her missing husband, Tanya found out that her request had been granted.

Wayne came into my life at a time of turmoil and chaos and gave my life a sense of purpose. Wayne was teaching me how to play and enjoy life and do things I had never done before. He taught me to sit down on the floor and play with the kids. I had never done anything like that before. [Immediately after 9/11,] I lost my job. Both our paychecks stopped as of that moment. I could not make the mortgage on the new house and I did not want to live there anyway without Wayne. I literally, did not have anywhere to go, at all.

Declaration of Tanya Davis, ¶¶4,13, 23.

49. Decedent Wayne T. Davis is survived by his minor daughter, **Gabrielle Davis**. Gabrielle turned two years old on September 23, 2001, just after her father was killed on 9/11. Declaration of Tanya Davis, ¶10.

Nobody will talk to me about what I'm feeling. It's funny, but I really never get to talk about my dad, ever. I'm sure it is because people feel awkward. But not having anyone else around that can understand how I am feeling is the worst part of it. I talk to my mom and I think that she understands to a certain point, but she did not lose the dad that she had never known in a terrorist attack. She lost her husband. It is still pain. It is still death. But it is different. Nobody else understands. It sounds like my dad was an incredible man. I just wish I could have known him. It almost makes it worse to know that he was such a great person and to know how much he cared for us, because he did not deserve to die. He wanted to be here with us and he did not deserve it. I just want him to be here.

Declaration of Gabrielle Davis, ¶10.

50. Decedent Wayne T. Davis is survived by his minor son, **Malachai Roarke Davis**, who was 10 months old when his father was murdered. Declaration of Tanya Davis, ¶10. He writes in his declaration:

... most kids have had their father their whole life. They have had Father's Day and Daddy Day in kindergarten and stuff all through school. When their dads came to that, my mom would have to bring me. People would say, "why did you bring your mom here?" I would just ignore them.

Declaration of Malachai Roarke Davis, ¶3.

51. Decedent Wayne T. Davis was the only child of his surviving mother, **Noverta Davis Dean**.

She missed about a year of work after the attacks. Immediately after Wayne's death she helped with her grandchildren, but then she became depressed and isolated. After returning to work she recalls that some days she would call into work and let them know she was having a bad day and that she would not be there. Other times she would go to work but then have to leave because she was so distraught. Noverta and her husband created a garden at their home in memory of Wayne. Declaration of Noverta Davis Dean, ¶11.

In her Declaration, Noverta Davis Dean explains that her last employment was in Edmond, Oklahoma, in an office where she processed passport applications:

... I became friends with a young woman whose husband was a cook in the restaurant at the World Trade Center. He was killed there on 9/11. She was getting her passport to go to Canada to live with her sister because she needed help raising her children. She was Muslim and she had her head covered. The U.S. Department of State changed the rule after 9/11 that you had to see the hairline when you take your passport picture. I went through a bitter state where I blamed anybody with dark skin and a headdress on their heads. I would get my defenses up and I would get very angry. But that day changed me. When I explained the picture rule to her, she cried and told me about her husband and situation. I showed her the picture of Wayne and his kids on my desk. I said, "That young man right there was killed also." We exchanged addresses and I sent her a Christmas card and a "how I'm doing" note and she sends me stuff. When that young mother cried with me that day, I realized she is hurting just as bad as I am. I thought, "Why should I think she is bad just because of her belief?" It taught me a lot.

Declaration of Noverta Davis Dean, ¶12.

FAMILY OF MICHAEL DIEHL

Decedent Michael Diehl was employed by Fiduciary Trust Company and worked on the 90th Floor of the South Tower of the World Trade Center. He was generally at his desk shortly after 8:00 a.m. to get a jump start on his day. Michael Diehl is survived by his wife, Loisanne,

who was a Plaintiff in Havlish individually and as Personal Representative for her husband's Estate. His two children, Jason Diehl and Jeanette Diehl are Plaintiffs in this case.

Category A -- Immediate Family Members

52. Decedent Michael Diehl, is survived by his son, **Jason Diehl**, a citizen of the United States and a resident of the State of South Carolina. Jason writes in his Declaration:

My favorite memories of growing up with my dad always revolve around baseball. I played little league, senior league, and high school ball. The games usually started at night at 7 or 7:30 p.m. My dad worked in the city and commuted. He would get off the bus at or just after seven o'clock and he would come right from the bus station to my games. I would watch for him and I would see him in the stands. He would still have his suit on. I always thought that was cool. Knowing that he was that interested and dedicated to seeing me play meant the world to me. The fact that he made it to every single game that I ever played showed how much he cared. Since 9/11 our family has been completely shattered. It is terrible. Growing up I had almost a 1950's sitcom family.... Then all of that just vanished. Even before the attacks, our dad was the stable one, the one who held the family together. After he was killed, I was in college and my mom was dealing with her emotional issues, so my sister was left to fend for herself.... Since 9/11 I have a severe anxiety and fear of flying. I have nightmares all the time of being on planes that crash.... I have flown twice since September 11th and both were terrible experiences.... I have often worried about how my father died. It is such an awful way to go and I cannot possibly think of a comforting way it could have happened.... The images in my head are really graphic....

Declaration of Jason Diehl, ¶¶11, 13-14.

53. Decedent Michael Diehl is survived by his daughter, **Jeanette Diehl**, a citizen of the United States and a resident of the State of New Jersey. In her Declaration, Jeanette testifies:

I just remember my mom and I being at our house that night. We slept in the living room that night because neither of us wanted to be in our beds. We actually slept in the living room for at least a couple of weeks.... During that first week, when we were still sleeping on the floor, the TV was on nonstop. I remember it was 4 o'clock in the morning. My mom was sleeping on the floor. I woke up and saw a news report that the search and rescue teams were now recovery teams. They were looking for bodies and finding body parts. I started breaking down and I was crying and I told my mom, dad's not coming home. I remember crying for hours and hours telling my mom I know he's not coming home and I know he's gone.... I was a trained classical pianist.... After high

school I went to Berklee College of Music in Boston.... I will always keep playing because it was something my dad loved me to do. I wish I had finished college.... Now I would like to go into funeral home work, which is a little ironic Because of what happened to me, I think I could give someone comfort and understand what they are going through.... My fondest memory of my dad is when I was playing piano. When I first started playing classically, I had a recital where I played the theme from *Shindler's List*. I remember my aunt and uncle were there from Florida and I thought my dad had missed it. But when I turned around he was right there. I was so happy and surprised. He caught the whole thing! I love to remember him listening to me playing piano all the time and how much he loved it. He would eat it up!

Declaration of Jeanette Diehl, ¶¶5-6, 12-13.

FAMILY OF STEPHEN SCOTT DORF

Decedent Stephen Scott Dorf was employed by Euro Brothers, Inc. and worked on the 84th floor of the South Tower of the World Trade Center. His father, individually and as Personal Representative for the Estate of Stephen Scott Dorf, and his siblings were plaintiffs in Havlish.

Category B – Functional Equivalents of Immediate Family Members

9/11 Decedent Stephen Scott Dorf was the functional equivalent of a father for Anthony Dorf. Stephen Scott and his sister, mother of Anthony Dorf, lived in a home they purchased together. Anthony lived there as well. “Once I was settled with my job and making a little money, Stephen and I decided to buy a house together. We could not afford to buy separate houses, but together we could do it.... We split all the bills down the middle.... My brother made \$32,000 a year and would unselfishly give it toward the house and my son.” Havlish
Declaration of Michelle Dorf, ¶¶9, 19.

54. Decedent Stephen Scott Dorf is also survived by his nephew, **Anthony Dorf**, a citizen of the United States and a resident of the State of New Jersey. Stephen Dorf fulfilled the role of father for Anthony Dorf.

My uncle and I were very close. I never knew my biological father. My mother and her brother, my Uncle Stephen bought a home together. Maybe he felt sorry for me, but he became the father I never had. He made me feel special and he was special. He took me to movies, fishing, camping and sometimes we just hung out on the couch. He was my role model. He was a great man. He loved me unconditionally.... September 11, 2001, began like any other day. My Uncle Stephen woke me for school. He knew I was not a morning person and he did that to ensure I would not be late for school. I got ready and screamed up the stairs to tell him I was leaving and that I loved him.... The principal made an announcement that the World Trade Center had been hit by a plane. I stood up and became hysterical in the middle of class. My mother spoke to my uncle on the phone and told him to leave immediately. He told her that people were jumping out of the windows and that he needed to help those who were trapped. Shortly after, I saw the building that my uncle was in fall [on television]. My heart dropped. Life as I knew it would never be the same. My life fell apart with that building.

Declaration of Anthony Dorf, ¶¶4-6.

FAMILY OF JUDY FERNANDEZ

Decedent Judy Fernandez was 27 years old when she was murdered on September 1, 2001. She was employed by Cantor Fitzgerald and worked in the North Tower. She is survived by her parents and two siblings. Her mother, Corazon Fernandez, was a plaintiff, individually and as Personal Representative for the Estate of Judy Fernandez, in Havlish. Her father and siblings are Plaintiffs in this action. In addition to Judy, their niece/cousin, Maria Theresa Santillan, was also killed in the 9/11 attacks.

Category A -- Immediate Family Members

55. Decedent Judy Fernandez is survived by her sister, **Emma Fernandez Regan**, a citizen of the United States and a resident of the State of Pennsylvania. Emma shared an apartment with her sister Judy. Emma states:

The night of the tragic attack, my fiancé, my brother and I went to Liberty State Park to see if we could find Judy at the triage center set up at the park. We scoured through various tents in the hopes of finding Judy. After several hours of looking and waiting as new boats came with new passengers, there was still no sign of Judy.... Needless to say, after four days of pounding the New York City

streets, we retreated back home defeated, numb and still a little bit in disbelief that Judy was no longer with us. For the first time in my life, I saw my father broken, down on his knees, sobbing hard. Again, my heart sank. This could not have happened.... She was to be my maid of honor at my wedding. She was to be the godmother of my children. She was to be a successful business person. Judy would have been there while I was going through some of my cancer treatments. Why could this not have happened to me instead?

Declaration of Emma Fernandez Regan, ¶¶5, 6, 8.

56. Decedent Judy Fernandez is survived by her father, **Cirilo Fernandez**, a citizen of the United States and a resident of the State of New Jersey. Cirilo Fernandez, recalls:

After 9/11, I did not go to work for one month. I spent that month with my wife, son and daughter going from one hospital to another looking for Judy. We also went to Ground Zero every day hoping to find my daughter's remains. Each day we came home completely exhausted, feeling the loss of our child, sobbing all night. With the dawn of each new day, the feeling of loss and loneliness would still be there.... Months after 9/11, I resigned from my job because I could no longer concentrate and I was easily distracted. I could not perform my job duties so I had to take an early retirement. Family activities became fewer and were no longer the same after Judy's death. The family outings and shopping trips no longer happened. All our initiative seemed to have left with Judy's passing. The tragic nature of our daughter's death radically altered our lives forever. Gone was the laughter and happiness we once had when Judy was with us. She would light up our lives. The holiday gatherings are not the same anymore. We always feel that there is something missing, which I cannot fully explain, something unfathomable.

Declaration of Cirilo Fernandez, ¶¶5, 6.

57. Decedent Judy Fernandez is survived by her brother, **Richard Fernandez**, who is a citizen of the United States and a resident of the State of Pennsylvania. Richard Fernandez recalls the days following the attacks:

The first twenty-four hours were a waiting game. After that, we were starting to get worried. During the first twenty-four hours we were still receiving news that people were hearing from their loved ones. I started to be a bit panicked, just waiting and waiting. We actually had a few calls from our friends with false information, telling us that they had seen Judy's name or had heard that she may be in one of the hospitals. I think even the second day we were told that she was in a hospital. But that proved to be wrong. That is when, finally, I basically prevented my family from answering the phone. I wanted everything to go

through me because it was very emotional getting all this false information. Our hopes would get high and all of a sudden it would bottom out when we would get other news. I tried to hold up hope. I had heard of people that were rescued after a week. I was hoping, praying for a miracle. It started sinking in after four or five days that we may no longer see my sister and my cousin.... So we were quite close. She was a beautiful individual. I miss her so much. The holidays are especially hard, even these days it is really tough on us. We tend to overspend by buying a lot of gifts for each other, and we have the Santillians also. They are part of our group when we celebrate. I feel like we overspend to compensate for the sadness.

Declaration of Richard Fernandez, ¶¶5, 13.

FAMILY OF RONALD GAMBOA

Decedent Ronald Gamboa and his 3 year-old son were passengers aboard United Airlines Flight 175, which was crashed into the South Tower of the WTC. The Estate of Ronald Gamboa was a plaintiff in Havlish. Ronald Gamboa was survived by his parents, Renee and Ranulf Gamboa, and two siblings.

Category A -- Immediate Family Members

58. Decedent Ronald Gamboa is survived by his mother, **Renee Gamboa**, a citizen of the United States and a resident of the Commonwealth of Kentucky. In her Declaration on behalf of herself and her now-deceased husband, Ronald's father Ranulf Gamboa, Renee states:

I was driving to work when I heard the news that there was a plane that hit the World Trade Towers, and that it was an American Airlines plane.... When I got to my office I heard that a United Airlines airplane hit the tower also. That is when I realized that something was wrong. But I did not worry too much because while I knew my son was flying from Boston to Los Angeles, he always took the early United Airlines flight, the six o'clock flight. Later, I found out that on that day, according to my son's friend, they left Boston later because they slept late. So they took the second plane.... I called my son on his phone and there was no answer.... I was worried because he usually calls when something happens like that just to let me know that everything is okay.... When his phone did not ring, I left my work.... It was almost night time when we got the news that he was on the plane that hit the tower. We kept on calling and they finally told us. They did not call us, we called them.... No remains were ever found. They offered us ashes from Ground Zero, but I did not want them because I might be getting somebody else instead of my son. I could not stand that. He made us laugh and brought us

joy. He was a very good son... He was very caring. Especially to his sisters. He took good care of them.

Declaration of Renee Gamboa, ¶¶4, 5, 7.

59. Decedent Ronald Gamboa was also survived by his father, **Ranulf Gamboa**, who died on March 8, 2004. Renee Gamboa is the Personal Representative of the Estate of Ranulf Gamboa. In her Declaration, Renee Gamboa states:

My husband Ranulf was very quiet. He did not talk about himself. But, every now and then, I would see him cry when he thought about his son. And he would say, 'I am sick. I was the one that was supposed to die. Not him.' Losing Ronald devastated our entire family.... Ronald would take care of everybody. Now my husband is gone also. My husband and my daughter flew to Los Angeles, not to Boston. They flew to Los Angeles to find out for certain about Ronald, because he lived there and we wanted to make sure. They went to talk to the lady that was taking care of Ronald's house while they were gone.

Declaration of Renee Gamboa on behalf of herself and the Estate of Ranulf Gamboa, ¶¶5, 9.

60. Decedent Ronald Gamboa is also survived by his sister, **Maria Joule**, a citizen of the United States and a resident of the Commonwealth of Kentucky. Her mother, Renee Gamboa explains about the close relationship between Ronald and his sisters:

... he called his sisters at least once a week to check on them. He was dedicated.... He was very caring. Especially to his sisters. He took good care of them. There are only the four of us, my three daughters and me. But of course, they have their own families, but in the immediate family, we are the only ones left. They live in Louisville near me. One daughter lived in Philadelphia when 9/11 happened. But when it happened, she came home and lived here. She said she missed everybody. She wanted to be with us. I have six grandchildren now, but I should have seven.

Declaration of Renee Gamboa, ¶¶7, 9.

61. Decedent Ronald Gamboa is also survived by his sister, **Rachel Malubay**, a citizen of the United States and a resident of the Commonwealth of Kentucky.

My children were all very close. They took the vacation together. They went everywhere together. And of course if we talk about it my children and I start crying, so we do not talk about it. But we can feel it. We do not talk about the

event, but we talk about how he was, how he was when he was a child. We talk about the past, and we miss him a lot, even up to now. But as a family we just ignore 9/11 and death because it is too painful. I just came back from the Philippines for a vacation, and we talk about him coming with us. Ronald came with us on vacation. We would go everywhere together as a family. He was always there.

Declaration of Renee Gamboa, ¶8.

FAMILY OF WILLIAM GODSHALK

Decedent William Godshalk perished in the South Tower of the WTC. He worked for Keefe, Burette & Woods on the 89th floor. The impact of the plane was a few floors below him. His mother, Grace Godshalk was a plaintiff in Havlish, both individually and as Personal Representative for the Estate of William Godshalk. William Godshalk's father, James Bond Godshalk (now deceased) and his sister, Jane Haller are Plaintiffs in this case, as is his fiancée at the time, Aleese Hartmann.

Category A -- Immediate Family Members

62. Decedent William Godshalk was survived by his father, **James Bond Godshalk**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania, who died in May, 2013. Grace Godshalk, James Bond Godshalk's wife, and the mother of the decedent William Godshalk, provided testimony on her late husband's behalf as his Attorney-in-Fact in 2012, due to his dementia.

Bill and his father were both sports enthusiasts. They would attend Philadelphia Phillies baseball games and Philadelphia Flyers ice hockey games. Bill was very smart and he did well in school.... He continued to do well academically in middle school, though his concentration shifted to sports. My husband was very involved with his children. He tutored Bill in math. He attended teacher conferences. While Bill was in high school, his dad also took him to visit many colleges... Bill was also very athletic and his father was very involved in his athletic career... [E]ven though we knew where he was at the time of impact, it was especially hard for my husband to face the truth. He held out hope for Bill's safe return for seven to ten days... We held a Memorial Service for Bill on the 28th of September. My husband attended the Service, but stayed in a corner in

the back... After 9/11, my husband's health was affected significantly. He suffers from dementia and Alzheimer's. My husband cannot hold on to or remember current events.... However, my husband can speak about things that happened the past. He can talk about Bill and, in fact, does talk about Bill a great deal. My husband says that the loss of Bill is the worst thing that has happened to him in his life.

Declaration of Grace Godshalk on behalf of her husband James Bond Godshalk, deceased, ¶¶6, 7, 8, 12.

63. Decedent William Godshalk is survived by **Jane Godshalk Haller**, his sibling and a citizen of the United States and a resident of the Commonwealth of Pennsylvania at the time of signing her Declaration, now a resident of Florida.

My brother William Godshalk, who I called Bill, was just 16 months older than me... Our bedroom doors were right next to each other on a 90 degree angle and when we were little my dad would stand at our doors and sing to us every night... The best part of our relationship as adults was that we were able to come together and be good friends.... In 2001, my husband John and I moved to Nashville, Tennessee because John had a new job as an Administrator at Vanderbilt University.... When I had not found a job by spring of 2001, I decided to quit looking for a while to give me time to spend with my family that summer. That turned out to be such a blessing because I was able to spend more time with my brother in that last year of his life than I had in a long time.... I would see airplanes in the air and I would physically get sick and have this cringing reaction. I slowly got better but the constant talk about the attacks made it very hard.

Declaration of Jane Haller, ¶¶4, 5, 13.

Category B – Functional Equivalents of Immediate Family Members

64. Decedent William Godshalk is survived by **Aleese M. Hartmann**, who was his fiancée and is a citizen of the United States and a resident of the State of Florida. Aleese M. Hartmann clearly suffered from severe emotional distress due the murder of Bill, her fiancé on 9/11. It took her a decade to marry, and she still suffers due to the events of 9/11. Declaration of Aleese Hartman, ¶24; Exhibit A Supplemental Declaration of Aleese Hartman.

Bill and I dated when I was 23 and he was 28 for a year and then we broke up and went about our lives. Then we got back together when he was 30 and dated a

little on and off. Then we dated seriously from 1999 until we became engaged in August of 2001. We moved in together the day before 9/11. Although we did not live together for long we took vacations together. We rented a winter house in Vermont two winters from January until April for the two years prior to September 11th. I would go up to Buck Hill Falls, to their summer house in Pennsylvania in the Poconos. And he came to Brussels, Belgium in June of 2001. That summer we were in Hilton Head with Jane. In May of 2001 we went to St. Bart's together for 10 days for our birthdays. We have gone to Vegas together and on trips with friends. We met at a wedding in Buck Hill when I was 23. We went out on a few dates and then became a couple for a year. Then we went our separate ways until one day, he showed up at my office. I like to think that he was thinking of me the whole time we were apart.... Bill and I lived on Park and 35th Street. I was getting on the bus outside of my apartment when I saw the first plane fly overhead. I got on the bus and tried to call Bill but I was disconnected. I sat with my back towards the road and we pulled up to 48th street where there is a Chase Manhattan Bank that has a lot of TV screens in the window. When the backdoors opened I could hear everyone screaming and gasping. I looked out and I saw that a plane had hit one of the buildings. At the time I did not know which building had been hit. I was close to work so I got out on 48th and Madison. I was running to work when I actually bumped into two FBI agents who stopped me because I was barefoot. I was wearing a skirt and flip flop sandals. I took off my shoes so that I could run to the office and call Bill. My cell phone was not working. They took me to my office, put me in the elevator, and went with me up to the 41st floor where I worked. My colleague, who had actually talked to Bill, told me that he had called in to say he was okay... When I got to my office, the phone lines were not working, and I could not talk to anyone. Bill finally got through to me, he was crying and I asked him what was going on. He would not tell me much except that he loved me, but he finally told me that people had been jumping from the windows... My building had a doorman. My roommate had just moved out, and Bill had just moved in. I asked my doorman if he had seen Bill and he told me that someone was upstairs. I was so excited and relieved; Bill was fine; he was home. But it was actually my old roommate, Laura. She had come back to help me.... My brother told me that it was very unlikely that Bill had survived. I was in denial. I think I called the KBW hotline every half hour. My friends went to the hospitals. My closest friend, Cami, and her husband went to Bill's old apartment and hooked up an answering machine, we still had the key because he had just moved into my apartment. My brother was with me and I stayed around the apartment. I did not go outside. I kept thinking he was going to come home. I talked to the Godshalks and Jane, Bill's sister, quite a bit.... I did not go back to work until October 5th and even then I would go in at 11 and I would probably sit there until about 5. I was not very productive.... I went back to work and it was probably January or February before Bill's death really hit home. I had lost so much weight. I was 140 pounds on September 11th and the day after the Super Bowl I fainted in the subway at about 97 pounds. I was hospitalized briefly. It was the winter, I was working regular hours and I was there late at night by myself. I realized the enormity of what had happened. I

think that was when it really started to sink in that Bill was gone. Naively, I had always had hoped that he would come home. I was put on Klonopin on about the 17th of September 2001, and I did not go off Klonopin until I found out I was pregnant in September 2011.... Following 9/11 it was hard for me to turn on the TV. I could never get away from the attacks. Especially those first five years when I was still very, very fragile.

Declaration of Aleese Hartman, ¶¶4-6, 8, 12, 19, 20-22.

FAMILY OF JOHN GRAZIOSO

The Grazioso family lost two members on September 11, 2001, brothers John Grazioso and Timmy Grazioso. Tina Grazioso, a citizen of the United States and a resident of the State of New Jersey, was a plaintiff in Havlish individually and as Personal Representative for the Estate of her husband John Grazioso. Decedent John Grazioso was also survived by three minor children, Kathryn, Kristen, and Michael, who are all residents of the State of New Jersey and are Plaintiffs in this case. John and Timmy Grazioso's mother, Sandra Grazioso, sister Carolee Azzarello, step mother Carole Grazioso, and two half sisters, Karen Ventre and Kristy Grazioso, are also Plaintiffs in this case.

Category A -- Immediate Family Members

65. Decedent John Grazioso is survived by his daughter, **Kathryn Grazioso**. Her mother, Tina Grazioso states:

At the time of the attacks, my oldest child, Kathryn, age 7, was in second grade. My daughter Kristen was 4 and in pre-school. Michael, who was his father's "trophy" was only 10 months old. When my husband did not return home on the night of September 11th, I gathered my children the next day and told them, "Daddy works in that really tall tower. A bad guy flew his airplane into Daddy's tower. It collapsed and fell down. We don't know if Daddy is an angel, or if he is coming home." My oldest daughter made her First Communion shortly after the attacks. She included a photo of her father drawn with angel's wings into the (Communion) project. John's closet still remains the way it did before he left for work on 9/11. His birthday just passed... and my oldest daughter went into the closet and wore one of his sweaters so that she could feel closer to her father. [Kathryn] will be graduating from high school this year.... John won't be there to see his daughter graduate, nor will he be there to walk his daughters down the

aisle when they eventually get married. I believe that this is already weighing on their minds now.

Declaration of Tina Grazioso on behalf of her minor children, Kathryn Grazioso, Kristen Grazioso and Michael Grazioso, ¶¶7, 11.

[Kathryn] had heard from the family of another victim that the victim's remains were found in pieces. It distresses me that she may be wondering if her own father was found this way. Throughout the process, I have told my oldest daughter to hold her last remembrance of her father from when he was alive.

Havlish Declaration of Tina Grazioso, ¶¶11, 17, 22.

66. Decedent John Grazioso is survived by his minor child, **Kristen Grazioso**. In her Declaration, Tina Grazioso, Kristen's mother, states:

My youngest daughter asked who was going to make silver dollar pancakes if Daddy didn't come home. John loved to make silver dollar pancakes for the children. Since that time, my children have had to ask me lots of questions that no child should ever have to ask a parent. When my middle child, Kristen, was in second grade, her assignment was to draw a picture of her family for Back to School night. This was two years after her father's death, and even a basic school assignment forced her to confront her father's loss. She drew all of our family members, including the dog and our 3 hermit crabs, and drew her father as an angel flying above all of us. It did make me happy, though that Kristen held memories of her father even though she was in pre-school on 9/11.

Declaration of Tina Grazioso on behalf of Kathryn Grazioso, a minor, Kristen Grazioso, a minor and Michael Grazioso, a minor, ¶¶6, 12.

67. Decedent John Grazioso is survived by his minor child, **Michael Grazioso**. In Havlish, Michael's mother, Tina Grazioso states:

"Most of all... John loved our three children... Even my youngest, Michael, senses that there is a void in his life. My husband and I always used to read books and sing songs with the children until they fell asleep at night. Michael gets upset when he sees his friends interacting with their own fathers. He has told me, 'I wish I had a father.' I gave him two of John's gold chains, which he wears constantly.

Havlish Declaration of Tina Grazioso, ¶¶4, 18.

68. Decedent John Grazioso is survived by his mother, **Sandra Grazioso**, who is a citizen of the United States and a resident of the State of New Jersey. Sandra Grazioso states:

My only two sons were working for Cantor Fitzgerald and killed in the attacks on the World Trade Center on 9/11/2001. Johnny worked on the 105th floor and Timmy worked on the 104th floor. They are gone and I think of them every minute of the day. Incomprehensible is not the word for what I went through on that day and have gone through since.... I stayed at work... on 9/11 because we had four phone lines there. The girls who I worked with helped me call every hospital in New York.... We had a TV at work and I... saw the second building fall. There is a doctor's office in the building and one of the nurses came to see me; she brought me tranquilizers in case I needed them. But I did not take them. Everyone was wonderful to me. I left about four o'clock because one of our clients told me that our church was open if I wanted to go pray... My daughter thought it was terrible that I stayed at the office... But, when they had the 1993 bombing, Timmy had called me at work to tell me that he was safe. I knew that if my boys were going to call me they would call me at work as opposed to anywhere else. That is why I stayed there. I stayed home that night waiting for a phone call.

Declaration of Sandra Grazioso, ¶¶4, 5, 8.

69. Decedent John Grazioso is survived by his sister, **Carolee Azzarello**, who is a citizen of the United States and a resident of the State of New Jersey. Carolee states that she did not return to work or her own home (she and her husband moved in with her sister in law Tina and her three children) until mid-November, 2001.

I focused on making life for Tina as easy as possible. She had three little kids. I had to hold on to those kids. I had suffered a miscarriage earlier in the year. If I had not, I would have had a baby who was just a few weeks old. In a way it almost made sense to me then that I had had the miscarriage. I would never have been able to do what I did if I had a newborn. People sometimes say God has reasons for everything, even if you do not know the reason... On October 5th, a priest and policeman showed up at Tina's door saying they found my brother, Johnny.... Tina called me hysterical, and said, "They found him."... I was screaming and crying, "I want to see him. I want to see him." ...All of that drama to find out that what they found was a small piece of John's jawbone.... Then around Thanksgiving, we got a call that they found a piece of Timmy's femur. A couple of years after 9/11, after multiple phone calls, they had found most of the right side of Johnny's body and we had a funeral... Then in May, 2004, we got another call. The calls just keep coming. We also got multiple calls about Timmy but not as many as Johnny. We ultimately exhumed his casket and put the

additional remains in the casket. However, we have received more calls notifying us of more remains since then. It is incomprehensible to go through that pain over and over again... It is difficult for me that I do not know how my brothers died.... I do not know if they died from smoke inhalation or from burns. I do not know if they died from jumping out of the window or from the sudden impact of the plane.

Declaration of Carolee Azzarello, ¶¶4, 10.

70. Decedent John Grazioso is survived by his half sister, Plaintiff **Karen Ventre**, a citizen of the United States and a resident of the State of New Jersey. Karen's mother, Carole Grazioso states:

I have two daughters with Timmy and Johnny's father, Hank. Their names are Kristy and Karen. All the kids got along great as they were growing up. They were all very close. There were no jealousies, there were no problems. Even on long vacations, all the kids got along. Kristy and Karen were destroyed by Timmy and Johnny's murder, and it broke my heart to see how Carolee suffered because of losing her brothers.

Declaration of Carole Grazioso, ¶9.

71. Decedent John Grazioso is survived by his half-sister, **Kristy Grazioso**, who is a citizen of the United States and a resident of the State of New Jersey. See ¶71.

Category B – Functional Equivalents of Immediate Family Members

John and Timmy Grazioso grew up in a "binuclear family." As children of divorced parents, they generally spend time with both parents (and their father's wife) and looked to each for supervision, financial support, and love. They began these relationships at a young age, and thus, these step-relationships were of long duration, naturally creating strong parental relationships between John and Timmy and their step-parents.

72. Decedent John Grazioso is survived by Plaintiff **Carole Grazioso**, a citizen of the United States and a resident of the State of New Jersey and his surviving step mother. Carole Grazioso explains that she lost both her stepsons on 9/11, and her own pain and her anguish also watching the suffering of her daughters Carolee, Kristy, and Karen, as well as Sandra Grazioso, is as real

as that of any parent. Carole Grazioso's relationship to her two step-sons spanned most of John and Timmy Grazioso's lives. She was a very important part of their family, providing emotional and financial support when even their father could not do so. Carole Grazioso's two biological daughters are the half sisters of John and Timmy and Carolee Grazioso; this strengthened the bond between her as their stepmother, who helped raise John and Timmy alongside her own children. Even further proof of the fact of this strong family bond is that Carole Grazioso continued her relationship with each of the decedents even after she and their father, Hank, divorced and indeed, she continues to function as an integral part of the Grazioso family after the death of John and Timmy.

Carole Grazioso explains in her sworn statement:

When I married Hank Grazioso he had three young children. Carolee was three, Johnny was six, and Timmy was seven. Hank and I were married for 21 years. Their mother, Sandy had custody of them, but we were with the children a lot. I cheered for them at sporting events. We took a vacation and sometimes two with them every year. I lived with them every other weekend and holidays too. We only lived about 10 to 15 minutes from them. Hank and I had two daughters together, Kristy and Karen who are the half siblings of Hank's three children from his first marriage. I find comfort in the memories of the vacations we took together. One vacation was in a Winnebago... Many of my fondest memories with them were on vacations to the ocean. I love looking at all the beautiful pictures.

Declaration of Carole Grazioso, ¶¶4, 8.

Sandra Grazioso, the biological mother of 9/11 Decedents John and Timmy Grazioso, explains the family relationship:

My ex-husband got remarried to Carole, but they are now divorced also... Carole and I are good enough friends that we give each other a kiss hello. We have to get along if we want to be there with the kids for Easter, Thanksgiving or for Christmas... We are all together for holidays: me and my boyfriend; my daughter and her husband and her two children; my ex-husband's sister and her children; Carole, who is my children's stepmother and my ex-husband's second ex-wife, and their children. It was this way before 9/11 and it has been this way since 9/11.

Declaration of Sandra Grazioso, ¶13. See also ¶81.

FAMILY OF TIMMY GRAZIOSO

See introductory paragraph above, relating to John Grazioso, equally applicable to the Family of Timmy Grazioso.

73. The **Estate of Timmy Grazioso** is represented by Personal Representative Deborah Grazioso, a citizen of the United States and a resident of the State of Florida and the surviving spouse of Timmy Grazioso. Decedent Timmy Grazioso was the Chief Operating Officer of Cantor Fitzgerald on September 11, 2001. His office was located on the 104th floor of the WTC North Tower. In addition to his wife, Deborah Grazioso, he is survived by his twin daughters, Lauren and Briana Grazioso, his mother Sandra Grazioso, his sister Carolee Azzarello, his stepmother, Carole Grazioso, and two half sisters, Karen Ventre and Kristy Grazioso. At the time of his death, Timmy was president of the Securities Traders Association in New York (STANY). ¶17
- Declaration of Deborah Grazioso.

Tim's brother, John, was also killed in the World Trade Center. We always wondered if the two brothers were together or talked on that day. Actually, Cantor had what is called the, "hoot and holler system" so that the trading staff could speak to all of the other Cantor people in all the different states. Cantor employees all over the country could hear them up there in the Towers when they were hit. When the plane hit they said that Tim said, "Come on. Everybody get your things because this one looks bad. I don't think we are going to be coming back for a long time... The people at Cantor said that they had tried to go down the stairs but they could not get down. They even tried to get up, but they could not get up. Somebody had asked what they were doing there. He said they were not screaming and that they sounded somewhat calm. But when they were asked, "What are you doing?" Someone responded, "We are dying. We are dying." I don't know if that was my husband. I guess they could not breathe at that point. This haunts me.

Declaration of Deborah Grazioso, ¶10.

Category A -- Immediate Family Members

74. Decedent Timmy Grazioso is survived by his wife, **Deborah Grazioso**, who makes a claim in her own right. After Timmy's death, Deborah stated:

I found out a lot more about my husband after he died. After he was killed, people would come to me and tell me things he had done. I know everybody is memorialized, but Tim was a really good person. One woman told me, "Oh, we did not have any money and my husband was going to sell my wedding ring because we needed money, and Tim said don't do that. Here, I will lend you some money. Don't worry. When you pay me back, you pay me back." I never heard any of these stories when Tim was alive. One of Deborah and Tim's twin daughters has Type One diabetes, thus, Timmy was very involved with, and on the board of directors of, the Manhattan Chapter of the Juvenile Diabetes Research Foundation. The twin girls were twelve years old in September 2001, and because Tim worked in New York during the week and commuted home to Florida on weekends, he had been considering re-arranging his schedule to return to New York on Mondays to allow more time with the family.

Declaration of Deborah Grazioso, ¶¶4, 6, 10, 14, 22.

75. Decedent Timmy Grazioso is survived by a daughter, **Lauren Grazioso**, who is a citizen of the United States and a resident of the State of New Jersey.

Maybe a month or two after the attack is when they found parts of his bones. That is when we were struck with the reality that he was actually dead. We really knew within a few days that my dad was gone because my mom's brother and her sister were in New York at the time. They had gone to the hospitals and other places looking for my dad and his brother. My grandfather was very real about the situation saying that he did not think he was going to come back. Then, when they found the bones, I knew for sure that my dad definitely was not coming back. I am very happy I work at Cantor, where my dad worked. It definitely would have been helpful if my dad could have helped me along. It would have been like old times if he could have helped me study for my Series Seven test. I wish he and I could talk through some of the decisions and everyday things that have come up with my life.

Declaration of Lauren Grazioso, ¶¶4, 5, 7, 8.

76. Decedent Timmy Grazioso is survived by a daughter, **Briana Grazioso**, who is a citizen of the United States and a resident of the State of New Jersey.

I was twelve in September of 2001.... My mom and sister and I lived in Florida

and my dad worked in New York during the week and he would commute to Florida every weekend. My dad worked for Cantor Fitzgerald in the World Trade Center. He used to cook a lot for us. My mom is not a very good cook... So he would come down and cook up a feast. He wanted to be involved in our academic lives as well. He would buy a set of book for our school so we could call at night and do homework with him over the phone. My mom tried to keep me from watching the news because I think by that point the towers had fallen. Of course she still had not spoken to my dad and she did not want us to see what was occurring. But I do remember watching the TV without my mom knowing and seeing what happened. Immediately after the towers had fallen people started coming over to our house... My sister and I were looking on the Internet to see different survivor lists since a bunch of those were posted... about fifty percent of them at least, had my dad listed as a survivor. My father's brother also worked in the World Trade Center. My father's and my uncle's names were spelled correctly. This gave us false hope that he was actually okay. It was hard getting back into school work after being out for a month. It was hard to concentrate, but in a way it was good to have my mind on something else and not be at home all day with my mom and my family.... Lauren, my twin sister is a type one diabetic... After my dad passed away, everything was on my mom in everyday life to help my sister with her diabetes because my grandparents were not there every day... My sister and I were sad, but my mom was all alone, so it was definitely a lot harder on her. My mom would get up two or three times a night to check Lauren or give her needles or a soda if her blood sugar levels were too low. Before he died, on the weekends my dad would give her a break from all that, because he would get up during the night and check on Lauren. Now I work for Cantor Fitzgerald, like my father did... I do not run into too many people who knew my dad, but my sister definitely does. She works with the equities division and my dad did over the counter equities for trading... I am part of... the Securities Traders Association in New York. It is helpful for work. During events with them I often see people who say that they knew my dad well. When that happens it is nice. In everyday life it might be a little more awkward. For example, if I were going to a meeting and someone recognized my name. But my sister gets that more than I do.

Declaration of Briana Grazioso, ¶¶4, 5, 7, 9, 12.

77. Decedent Timmy Grazioso is survived by his mother, **Sandra Grazioso**, who is a citizen of the United States and a resident of the State of New Jersey. She states:

We had a joint Memorial Mass at my church... for John and Timmy on October 4, Timmy's birthday. The Sunday after the funeral, I went to the rectory... and they said, "Sandra, how many people do you think were in church?" I said, "Oh, about fourteen hundred." The church was full. People were even sitting down in the basement where a television and a sound system had been setup to accommodate overflow... It was very touching.

Declaration of Sandra Grazioso, ¶10.

78. Decedent Timmy Grazioso is survived by his sister, **Carolee Azzarello**, who is a citizen of the United States and a resident of the State of New Jersey.

One of the hardest parts of 9/11 is now I am an only child. After September 11th, my mother would call me all the time, to make sure I was okay, ask where I was and make sure I got home safely if I was on a business trip... But I was not used to being babied. I was never doted on and I want to tell her to leave me alone sometimes. But I have to respect her loss and her need to know that I am ok. Now her health is starting to deteriorate. She is all I have. In June of 2002, I was diagnosed with a progressive liver disease so if I do not die from something else, I will probably need a liver transplant at some point in my life.... The two most obvious donors would have been my brothers, but they are not here. Timmy took our mother out to dinner for her birthday the night before he was killed. He called me that day and said, "I want you to make a list for me of everything mom needs." If Timmy were here he would say, "Make me a list of everything she needs and then call me back and tell me and we are going to do it..." My mother is now 78 and she still has to work. She never complains and she is very active, but if my brothers were alive she would not have to be working at the Funeral Home where she works now.

Declaration of Carolee Azzarello, ¶16.

79. Decedent Timmy Grazioso is survived by his half-sister, **Kristy Grazioso**, who is a citizen of the United States and a resident of the State of New Jersey. Kristy's mother, Carole Grazioso states:

I have two daughters with Timmy and Johnny's father, Hank. Their names are Kristy and Karen. All the kids got along great as they were growing up. They were all very close. There were no jealousies, there were no problems. Even on long vacations, all the kids got along. Kristy and Karen were destroyed by Timmy and Johnny's murder, and it broke my heart to see how Carolee suffered because of losing her brothers.

Declaration of Carole Grazioso, ¶9.

80. Decedent Timmy Grazioso is survived by his half-sister, **Karen Ventre**, who is a citizen of the United States and a resident of the State of New Jersey. Carole Grazioso states:

I have two daughters with Timmy and Johnny's father, Hank. Their names are Kristy and Karen. All the kids got along great as they were growing up. They were all very close. There were no jealousies, there were no problems. Even on

long vacations, all the kids got along. Kristy and Karen were destroyed by Timmy and Johnny's murder, and it broke my heart to see how Carolee suffered because of losing her brothers.

Declaration of Carole Grazioso, ¶9.

Category B – Functional Equivalents of Immediate Family Members

81. Decedent Timmy Grazioso is survived by Plaintiff **Carole Grazioso**, a citizen of the United States and a resident of the State of New Jersey and his surviving step mother. Carole Grazioso explains in her sworn statement:

Timmy and Johnny were great kids and they grew up into wonderful men... We all got along well as a family... Sandy thanks me all the time. She tells me that the boys loved me and she thanks me for treating them as my own children, which I did even when it came to supporting them. Their dad was a compulsive gambler, so I made sure she got her monthly money.... They loved their dad and I think as they got older, they understood his issues and problems. Carolee and my sister in law told me that Johnny was very upset when he heard that his dad and I were getting divorced. Even after their dad and I split up I stayed in contact with the boys, who were already married at that time.

Declaration of Carole Grazioso, ¶¶10, 11. See also ¶72.

FAMILY OF JAMES HALVORSON

Decedent James Halvorson was employed by Marsh & McLennan on the morning of 9/11 and worked on the 99th floor of the North Tower, WTC. His wife, Maureen R. Halvorson is a plaintiff in Havlish individually and as Personal Representative for the Estate of James Halvorson. He was also survived by his mother, Evelyn Halvorson, his son, Douglas and his sister Kathryn Halvorson who are plaintiffs in this case.

Category A -- Immediate Family Members

82. Decedent James Halvorson is survived by his sister, **Kathryn (Kate) Halvorson**. Kathryn recalls that on 9/11:

I knew my brother Jim had recently moved his office from midtown Manhattan to downtown Manhattan.... I kept trying to convince myself that his new office was

not in the World Trade Center. He traveled frequently, so I kept trying to convince myself he was watching this from some foreign country. I called my sister-in-law, Maureen. She told me that Jim worked in the tower that was hit and that his office was on the 99th floor. She and my mother were hoping he was able to get out of the building.... I have regrets that I did not tell my brother that I loved him often enough, or that we did not travel down to Connecticut more often. Our mother moved from North Dakota to Connecticut to live in my brother and sister-in-law's house in 2000. Her move was a blessing because she was able to spend time with Jim and we all spent more time together as a family.

Declaration of Kathryn Halvorson, ¶¶5, 9.

83. Decedent James Halvorson was survived by his mother **Evelyn Halvorson**, now deceased, who was a citizen of the United States and a resident of the State of Vermont at the time of her death on October 14, 2012. Kate Halvorson is the Personal Representative of the Estate of her mother, Evelyn Halvorson. Evelyn Halvorson was in her late eighties when her son was killed. Less than a year before James' death, she had moved from her home in North Dakota to live with James and his wife in their home in Greenwich, Connecticut. She had left all her possessions. She lived with James' wife for another eight months after his death and then she moved to Vermont to be close to her daughter and her granddaughters. Kate states:

James' death greatly impacted our mother's financial situation. She was living with him and he was taking care of all her needs.... I think that it was more than just a money issue, it was a security issue. My mom just kept thinking that James was going to be found.... We finally came to the realization that he was not coming home.

Declaration of Kathryn Halvorson as Personal Representative of the Estate of Evelyn Halvorson, Deceased, ¶¶5, 7, 9, 10.

84. Decedent James Halverson is survived by his son, **Douglas Halvorson**, a citizen of the United States and a resident of the State of New York. Douglas Halvorson is an only child and was 29 years old on the day he watched his father and uncle die in the Twin Towers from his office window in midtown Manhattan. Douglas and his father both worked for Marsh & McLennan,

but in different buildings. His uncle, William Wilson (whose surviving sibling, Jeanne McDermott is also a Plaintiff in this case) worked for Aon Corp. and was Douglas' mother's only brother. Douglas states:

I had just spoken to my father at about 8:30 A.M. We discussed the Giant's football game from the night before.... As I hung up the phone, I heard the load roar of a jet engine fly immediately overhead and the first airplane came into view.... I watched in horror as the plane crashed directly into the North Tower of the World Trade Center.... My mom called to say she had just heard on the radio that a small plane had crashed into the building. I had to tell her that it was a large passenger plane and that there was no way that dad or anyone on the upper floors could have survived... While I was on the phone with my mom, I heard my co-workers scream in horror as the second plane crashed into World Trade Center South Tower. My uncle, who also died that day, worked for AON in that building.... I am an only child and I was very close to my father. We shared a lot of common interests.... He was my trusted confidant in both my business and personal life.... The theme of my eulogy at my father's memorial service was "Be like Jim." I strive to remember and use what he taught me about life, but I know that I had much more to learn from him.

Declaration of Douglas Halvorson, ¶¶4, 5 8, 9.

Category C – Other Functional Equivalents of Immediate Family Members

85. Decedent James Halverson is survived by his granddaughter, **Elle Halvorson**, a minor. She will file a motion for voluntary dismissal with this Court.
86. Decedent James Halverson is survived by his grandson, **James Halvorson**, a minor. He will file a motion for voluntary dismissal with this Court.

FAMILY OF DONALD G. HAVLISH, JR.

Decedent Donald G. Havlish, Jr. was employed by AON, Inc. and worked on the 101st floor of the South Tower of the WTC. His spouse, Fiona Havlish, is the lead plaintiff in Havlish where she presented a claim individually and as the Personal Representative of the Estate of Donald G. Havlish, Jr. Donald's father, Donald Havlish, Sr., and siblings, Susan Conklin and William Havlish, were also plaintiffs in Havlish. Donald Havlish is also survived by a daughter,

Michaela Havlish and two stepchildren, Lea Bitterman and Sean Bitterman, who lived with him from the time they were young children. All three are Plaintiffs in this case.

Category A -- Immediate Family Members

87. Decedent Donald G. Havlish, Jr., is survived by his daughter, **Michaela Havlish**, a minor. Fiona Havlish, a citizen of the United States and a resident of the State of Colorado, is the mother and guardian of Michaela Havlish. Michaela Havlish, who is Donald Havlish's only biological child, was almost four years old when her father was killed. She writes in her Declaration:

My mom told me two days after that daddy was up in heaven. I thought that heaven was a place on Earth and so I figured that he was going to be gone for a long time, but that I would see him again.... [W]hen I was around nine... I realized that he was missing but I did not understand what dead meant. Then only recently it clicked that I would not be seeing him ever. Recently I told my mom that I wanted to go to therapy... I needed therapy because this year has been a much harder year than it has before.... [I]t was a lot harder on me on the 10th anniversary than it had been any year before that.... I realized that he was dead and I now understand that because he is dead I will never see him again. This realization got me thinking about how he died. I wonder if the tower crushed him or if he was on his way down the stairs or if he was surprised by the building just falling down on him. Because he worked on the 101st floor, I wonder if he was trapped. Or if he was just about to get out of the building when he was crushed. I have no clue and that disturbs me.

Declaration of Michaela Havlish, ¶¶6, 8.

Category B – Functional Equivalents of Immediate Family Members

The facts presented from Donald Havlish's stepchildren present the picture of a nuclear family, with Donald functioning as their father on a daily basis. Sean and Lea lived with Donald from the time they were very young. Donald was there for all the things a father would do, and he supported them financially. Lea states that they wanted to be adopted by Donald, but their biological father, with whom they had barely ever lived, was devastated when she asked him if he would allow this. Like a man who loved them would, Donald raised them to be respectful of

the man who was their biological father, thus creating a loving environment for Sean and Lea as they grew up.

88. Decedent Donald Havlish, Jr., is survived by his stepdaughter, **Lea Bitterman**, a citizen of the United States and a resident of the State of Colorado. Lea Bitterman testifies:

At the time of the attacks we lived in Yardley, Pennsylvania. We had lived there as a family since I was six years old and when I was 18, Don was murdered. My mom and my stepdad had dated for a few years before they got married, so I had know him for almost all of my life. Once they got married, my mom, Don, my brother and I all moved in together. My brother and I were the first children Don had lived with as an adult, and I think it was hard at first for Don to adjust to having a family in the house. The rest of his family was excited when he got married, and we all became really close. I was with my biological dad every other weekend and a few weeks during the summer until I was 16. I was with Don every day from the time I was 5. Don was constantly there for me and I could count on him for anything. He was such a loving guy. Don was very different from my biological father who is very laid back. Don was a lawyer. He always took care of us, even our most mundane needs. He also gave us many options that we would not have had without him in our lives.... My biological dad was jealous, because at one point we wanted to change our last names to Havlish. My dad completely broke down; I did not have the heart to do it. When I was 14, my baby sister, Michaela was born. She is Don's only biological child. Michaela was only 3 years old when 9/11 occurred.... I tried to go back to school about two days later but everyone at school was talking about the attacks.... It finally got to the point where I just walked out of school one day and never went back. I was homeschooled my senior year.... After 9/11, I was out of the house as often as possible. I was usually with my friends getting wasted. I tried to block out all my emotions and the pain with drugs. When I was home I spent most of my time alone in my room. I could not watch TV, so I would read a book to get my mind off of losing Don. My boyfriend would come to be with me but that relationship ended within about three months... I do not think he wanted to deal with it or me. I used drugs for five to six years. I was getting all of this money and I was still living at home. I had an excuse and the drugs seemed to take all my problems away. After about six years, I hit rock bottom and I came clean with everybody.... When I stopped taking the drugs, it was like finally growing up.... At 25, I was dealing with what I should have dealt with at 18. I had to grieve the loss of Don and I had to grow up.

Declaration of Lea Bitterman, ¶¶4, 8, 12, 13, 14.

89. Decedent Donald G. Havlish, Jr., is survived by his stepson, **Sean Bitterman**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania. Sean Bitterman was 20

years old and living at home with his mother and stepfather, on 9/11/2001. He recalls in his

Declaration:

As soon as the South building fell, the one Don was in; my mom dropped to the ground and started crying hysterically. Maybe she knew at that moment or maybe she was afraid of losing him. I was shocked. I tried to help her, but there was nothing I could do. I felt helpless. It was strange. I was frozen stiff and then after the initial shock went away, I sat in disbelief like I could not have possibly just seen that... My mom and Don were married for 12 years, and she had dated him for three years before that. I met him when I was five or six and then I lived in the same house with him from the time I was eight. I called him Don. He wanted my sister and me to call him by his first name. He said that he was there in addition to our dad, that he did not want to replace him. We called each other by our first names out of mutual respect. He was very big on respect. He always taught us that we had to earn respect. Respect is not something that is just given and that it is something that you always want to work for, because if somebody respects you, you are doing something right. Don earned my respect because he treated us fairly. He had this way about him, when he spoke people listened. I stopped what I was doing and listened to him. Don and I shared an interest in cars. He taught me how to drive a stick shift... When I was 13 or 14, he ended up giving me [an old MG]. And when I was old enough to drive we worked on it together... Don taught me how to read the stock page. He taught me the importance of savings... Now as an adult, I remember the lessons he taught me. I have never owned a car that was not a stick shift, and I still watch the stock report... Don was a huge piece of my life and he always made it a point to make sure that we knew we were a piece of his life too. I never felt like a “step-child.”... [A]fter the first month I came to the realization that Don was not coming back... I started getting angry and I stayed angry. I started drinking here and there... Then I was able to drink legally, and I started drinking all the time... When I started drinking it sort of numbed me and I felt really good. I could let go of most of that anger, and then the more I drank it had the opposite effect. The anger just came back. I used to drink a lot to try and forget... I went to therapy and also I woke up one morning and realized that every single problem that was present in my life at that point was due to drinking.... I had progressed to the next stage of grief. I had moved from the anger phase into the acceptance phase. It took me a lot longer to get there because I did not go to therapy, and I decided to drink all the time instead of dealing with the problems at hand.

Declaration of Sean Bitterman, ¶¶ 6, 9, 10, 11, 14, 16.

Category C – Other Functional Equivalents of Immediate Family Members

90. Decedent Donald Havlish, Jr. is survived by his nephew, **David Havlish**. He will file a motion for voluntary dismissal with this Court.

91. Decedent Donald Havlish, Jr. is survived by his niece, **Laurel Conklin**. She will file a motion for voluntary dismissal with this Court.

FAMILY OF JAMES JEFFREY HOBIN

Category A -- Immediate Family Members

92. Decedent James Jeffrey Hobin is survived by his son, **Derrick Hobin**, who is a citizen of the United States and a resident of the State of Massachusetts. In his Declaration, Derrick Hobin states:

[My father] was an employee of Marsh & McLennan and on September 11, 2001 he was in New York at his company's headquarters in the World Trade Center. Spending one day a week in New York was a weekly routine for him.... For that particular week in September 2001, it just so happened to be on 9/11/2001.... My mother... passed away from lung cancer.... She had always smoked, but after his death she began to smoke much more than she had while he was alive. I believe that ultimately this increased smoking led to her getting cancer and to her death. I helped to care for my mother. I was ultimately let go from my job because my sales production was lower than my quota. It was very tough for me financially, but I was able to be there for her in the end and I will always be thankful for that. Knowing that I was there for her when she needed me most has helped me in grieving for her. Even so, it has been extremely hard for me to cope with both of my parent's deaths.... To this day, my brother is not able to let go of the fact that the last conversation he had with my father was an argument.... For the past 10 years, he has dealt with depression and major substance abuse problems... My grandmother always says that my father was her best friend. My grandmother lost 3 of her 4 children and lost my grandfather over 26 years ago and my father was an important piece to her life.... After my father's death, I have become a lot closer to my grandmother and I now see her as my best friend.... She has told me that we have a similar relationship to the one her and my father had. I would like to think that I have attempted to help her cope with her loss and to not let her think she is alone in life and in return she has done the same for me.... We help each other.... My father was a great person in many ways and the day we lost him, we lost a role model and someone who would do whatever it took to make those he cared about happy.

Declaration of Derrick Hobin. ¶¶4, 8, 9.

FAMILY OF LEROY W. HOMER, JR.

93. The **Estate of LeRoy W. Homer, Jr.**, a citizen of the United States of America, is represented

by his wife, Melodie Homer, a resident alien, citizen of Canada, who resides in the State of North Carolina. Decedent LeRoy W. Homer, Jr. was the co-pilot of the hijacked United Airlines Flight 93, which crashed in a field outside of Shanksville, Pennsylvania. His spouse is the Personal Representative of the Estate of LeRoy W. Homer, Jr., and she writes in her Declaration:

LeRoy had been the only pilot on the four flights who had prior knowledge of the morning's attacks and had alerted Air Traffic Control to the hijacking with his "May Day" alert.... Although the information coming from various family members was quite contradictory, one thing seemed certain: the passengers and crew knew what had happened at the WTC and were planning to overtake the hijackers, in an attempt to thwart the attack and save their lives... Sandy, the wife of LeRoy's flight captain, Jason Dahl, and I had requested a meeting with the Justice Department to hear all radio communications surrounding Flight 93, from the gate at Newark until the plane went down in Shanksville. We were granted this meeting in January, 2004. This information, along with what we had heard on the cockpit voice recorder, the ACRS transmissions for Flight 93, and the information from the flight data recorder, helped us fill the gaps in our understanding of what had occurred in the cockpit that morning. Jason was piloting the plane on the morning of September 11; LeRoy was making the radio calls. Most of the air traffic control radio calls were LeRoy's.... Every minute I heard LeRoy talking brought him closer to the moment when I would never hear his voice again. The transcript showed the cockpit receiving the message I had sent to LeRoy making sure he was okay. Once the cockpit was breached, the autopilot, which could be described as the airplane version of cruise control, was turned off, but it was then turned on again one minute later. The hijackers were manually flying the airplane with the autopilot on. This did not seem intentional, especially when one of the hijackers said, 'inform them, and tell them to talk to the pilot. Bring the pilot back.' They were having problems flying the plane, a plane that had been operating fine just minutes before. Something had been done in the cockpit to make the airplane more difficult to fly. This may have given the flight attendants and passengers enough time to organize themselves and disrupt the hijacking. Realizing they would not be able to reach their target, the hijackers made the decision to crash the plane. Both LeRoy and Jason played an integral part in the plane not reaching its target.

Declaration of Melodie Homer, ¶¶27, 28.

Category A -- Immediate Family Members

94. Decedent Leroy W. Homer, Jr., is survived by his wife, **Melodie Homer**. Melodie Homer brings an individual claim as well as a claim on behalf of their surviving daughter, Laurel Homer, a

minor. As Melodie explains:

In a split second, all the plans we had made for the future were erased, and I was left to raise our child by myself. I had not made a choice. I was devastated. My life had been shattered and destroyed. I missed LeRoy horribly, in so many different ways. I stopped watching our favorite television shows. I missed being a wife, taking care of someone. I had enjoyed cooking for LeRoy because he always made me feel like I was the best cook in the world. I missed cuddling with him at night. Many times, even years later, I woke up wanting to tell LeRoy something. And then I would remember. Sometimes I would think of something funny he had said or a joke we had shared. I would laugh out loud and then I would start to cry. I was hit with the realization many times during the first year after losing LeRoy that this was the way it would be from now on. I felt like I was drowning and I did not have the emotional or physical energy to stay afloat.... During the first year, I was preoccupied with all the items that needed to be resolved. The paperwork was monumental.... Every day it seemed I was faced with a new task or responsibility.... After that first year, as the shock wore off, reality set in. Within six months of my visit to Shanksville, I had lost another ten pounds. Before September 11, I had been a size 4; a few months later I was a size 0.... I knew I was not taking care of myself.... I would watch the clock to see how many more hours I had before I could put Laurel to bed so that I could take an Ambien and escape for another night.... I kept LeRoy's Swiss Army knife... in the drawer of my nightstand. Sometimes I would use it to make scratches on my skin. The crushing pain in my chest would then shift to wherever I had scratched myself and I would feel temporary relief.... After September 11, 2001, it took two years before I was able to sleep with the light off. It would be three more years before I could remove my wedding band. The panic attacks have lessened over time, and after receiving EMDR treatment, I have been able to slowly wean myself off the antidepressants I had been taking for almost six years. Almost 12 years later, LeRoy's voice is still on the answering machine, and his bathrobe still hangs on a hook in the closet.

Declaration of Melodie Homer, ¶¶35, 36, 39, 45.

95. Decedent LeRoy Homer is survived by his daughter, **Laurel Homer**, a minor. Melodie Homer, the mother and guardian of her daughter, Laurel Homer, makes a claim on behalf of Laurel Homer, a minor, who is a citizen of the United States and a resident of the State of North Carolina. Laurel's mother writes about the bond between LeRoy and his only child:

Although Laurel only had her dad in her life for ten months, they had a special relationship. LeRoy was so excited to become a dad.... We both decided we would read a book to our unborn baby, and I picked *Harold's Purple Crayon*... LeRoy decided on *Green Eggs and Ham*, and he read it to our unborn baby every

night he was home.... As soon as Laurel was born, he was smitten. I remember once when she was only a couple of weeks old, LeRoy had just come home from flying a London trip.... I woke up at some point during the night and went to look for them. They were sitting in the glider together. LeRoy looked exhausted but awake, Laurel was asleep on her dad's lap.... For the first few months after September 11, Laurel would wake up with night terrors. Laurel had been sleeping through the night since she was three months old, so waking up at night was unusual for her. When I would pick her up and try to comfort her, her tiny hands would claw at my clothing, completely unaware of me or her surroundings. It would take a few minutes to calm her down during these episodes... Laurel was three years old when she started seeing a child play therapist.... Laurel was experiencing severe mood swings. She would become angry for no apparent reason, yelling and screaming, completely out of control. A few minutes later she would calm down on her own and be very apologetic, hugging me and telling me she loved me.... sometimes cycling through these outbursts multiple times a day. She also developed a fear of men, which I had inadvertently perpetuated.... Through play therapy, we learned that Laurel was afraid something would happen to me if I had to travel.... Knowing that she was uncomfortable when I traveled, I called often and tried not to be gone more than seventy-two hours.... Her therapist explained that this was a normal fear for a child her age to have, especially one who has already lost a parent.... When Laurel started pre-school, her teacher expressed concern about Laurel's ability to pay attention in the classroom. What Laurel's teacher described and her therapist confirmed was a state of hyper vigilance; Laurel was in a constant "red alert", a symptom observed in someone who has experienced a trauma.... At this point, Laurel's therapy shifted to dealing with the anger attributed to losing her dad, lessening her fear of men, and helping her feel safe so she would be able to improve her focus at school... Laurel frequently asked to see the photo album of her baby pictures. There were lots of pictures of her and LeRoy. After looking at the album, she would be inconsolable, crying uncontrollably and begging for her daddy to come back.... One day I will have to answer the more difficult questions. One day Laurel will ask me where he's buried. She will probably Google his name, and hear her father's voice on the Air Traffic Control Tapes as he tried to fight off the hijackers. But for now, I encourage the pride Laurel feels in LeRoy, knowing that her daddy saved lives.

Declaration of Melodie Homer on behalf of her daughter Laurel Homer, a minor, ¶¶4, 5, 9, 11, 13, 14, 17.

FAMILY OF HWEIDAR JIAN

96. The **Estate of Hweidar Jian** is represented by Ju-Hsiu Jian a/k/a Connie Jian, a citizen of the United States and a resident of the State of New Jersey and the surviving spouse of Hweidar

(“Dar”) Jian. Hweidar’s mother, four siblings, and adopted son were plaintiffs in Havlish.

Decedent Hweidar Jian worked on the 103rd Floor of the North Tower of the WTC. “He accepted an offer from Cantor Fitzgerald’s eSpeed division as a programmer and began working on January 29, 2001. He was very interested in his project at eSpeed and was on a team that received a patent.” Declaration of Ju-Hsiu Jian, ¶9. The entire family accompanied Ju-Hsiu on a business trip to Taiwan and they turned it into a family trip. Declaration of Ju-Hsiu Jian, ¶10.

I eventually stopped working full-time at Itox, Inc. following the attacks. I had worked there since December 1991 and had become vice president of finance and served as acting president for a time. I dropped to part-time work so that I could spend more time with the children and help with their participation in after school activities, such as Boy Scouts. I did it for the boys and to honor Dar.

Declaration of Ju-Hsiu Jian, ¶15.

Category A -- Immediate Family Members

97. Decedent Hweidar Jian is survived by his wife, **Ju-Hsiu a/k/a Connie Jian**, a citizen of the United States and a resident of the State of New Jersey. She received a call from her husband, Decedent Hweidar Jian, on the morning of 9/11. She writes in her Declaration:

We had a very short conversation. He told me that an airplane had hit the World Trade Center and there was a lot of smoke on his floor. I told him to get out but he said that it was not so easy and he was coughing. He began to say something about our bank accounts and I realized that this was a serious event because he handled all of our household finances and made our investment decisions. He used to joke that if anything happened to him, that I wouldn’t even know where our money was. After a few precious seconds of conversation, the line cut off.

Declaration of Ju-Hsiu Jian, ¶11.

98. Decedent Hweidar Jian is survived by his son, **William Jian**, a citizen of the United States and a resident of the State of New Jersey. He recalls in his Declaration:

We were very hopeful for the first few days that my father might still be alive. After 5 days, we began to realize that this might not be the case. The feeling that I had cannot be put into words. It was awful. The family had just returned from a trip to Taiwan together. In the weeks that followed, as relatives began to arrive, I

wondered how the family was going to manage with my father gone. Over ten years after the attacks, I still think about my father and his loss remains great. That has not changed.

Declaration of William Jian, ¶¶6, 12.

99. Decedent Hweidar Jian is survived by his son, **Kevin Jian**, a citizen of the United States and a resident of the State of New Jersey. He writes:

On September 11, 2001, I was 8 years old and in third grade at Warnsdorfer School in East Brunswick, New Jersey. I learned about the attacks from my mother when I came home from school. At the time, I did not really know what was happening. My teacher, Ms. Sarapochillo, spoke to our class about the attacks the next day. I told her that my dad had not come home the night before. I do not remember the Memorial Service for my father. I was confused and distant at the time, but mostly in disbelief. I tried to push it away as much as possible as a defense mechanism.

Declaration of Kevin Jian, ¶¶5, 6.

FAMILY OF DONALD W. JONES

Decedent Donald W. Jones was 42 years old on September 11, 2001. He worked on the 105th floor of the WTC. He was employed by Cantor Fitzgerald as a bond broker. Donald's parents and two siblings are Plaintiffs in this action.

Category A -- Immediate Family Members

100. Decedent Donald W. Jones is survived by his mother, **Audrey R. Jones**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania. In her Declaration, Audrey Jones states:

I cannot begin to describe the terrible, overwhelming grief, sadness and dread I have felt knowing that I will never see my child again. Knowing that he died a perfectly horrible, torturous death has made his death even more difficult.

Declaration of Audrey R. Jones, ¶5.

101. Decedent Donald W. Jones is survived by his father, **John R. Jones**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania.

On the morning of September 11, 2001 I was sitting at the ball field waiting for my softball game to start, when a guy came and told me that a plane hit the Trade Center. I played softball in the senior league. He knew I had a son that worked in the World Trade Center. I told him that I thought I was leaving, and then I went home. At that point in my life I had already retired from my job as a custodian at the nearby school. I have now been retired about 17 years. When I arrived home my wife was not home yet. I waited for her to get home and then we watched the news together. We mainly just sat there waiting and hoping. We heard on the TV that our son's entire company, Cantor Fitzgerald, had been wiped out.

Declaration of John Jones, ¶4.

102. Decedent Donald W. Jones is survived by his brother, **Robert A. Jones**, a citizen of the United States and a resident of the State of New Jersey. In his declaration, Robert states:

My wife ... and I frantically started calling every hospital in New York City. Unable to get any information, we went into the city every day for a week searching for my brother, looking at every person that went by hoping it was him. The day came that my brother had to be declared either missing or dead. This was a task I could not expect my Mother, Father, Sister-in-law or nieces to do, so I traveled back to the city to file the necessary paperwork and bring DNA so that if they were to find him he could be brought home and properly buried as he so deserved. There was never anything found. We had a memorial service so there could be some kind of closure. But that closure never happened. I relive September 11 every day. It is like it happened yesterday. Every bright blue sky, every low flying plane, I go right back to that day. He was my little brother, my best friend, and it was my job to protect him and I couldn't. We went golfing once a week; we went to the NASCAR race in Dover with our dad every year; we played softball every weekend. Since that day, I have golfed once, and no longer play softball. My dad and I went to the race the following year, but it was not the same without Donnie, and we have not been back since. My relationship with my wife, children and step-children has changed. I feel angry all the time. I find that I drink more since this happened and I started smoking again.... Now we really do not celebrate holidays.... I do not socialize and I prefer not to be in crowds.... At the time of Donald's death, I had one job for 30 years. Since I lost my brother, I have had three jobs over the last ten years. I am currently unemployed, and have been for five out of the last ten years.

Declaration of Robert Jones, ¶¶6, 7.

103. Decedent Donald W. Jones is survived by his sister, **Candy Moyer**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania. In her Declaration, Candy Moyer states:

My husband would tell me, "I'm sure Don died right away. He would have had

to, from smoke inhalation.” After we moved to Chicago, about four months after 9/11, one night I could not sleep and I was reading an article online. It was about a person at Windows on the World who was on the phone with the Port Authority until the building collapsed. There are recordings of her phone call.... Windows on the World was one floor above where Don worked. When my husband got home from work, I was crying and I told him; “There were people still alive.” He said, “Oh, my God, really? How do you know?” Then he looked at the article I had found and he said, “Oh, I’m sorry.”.... I watch programs about 9/11 because I am always trying to figure out what happened to Don.... My mom asks, “How can you watch that?” I tell her, “Because I want to know what happened to him since we have no remains.” My kids asked me where Uncle Don is buried. I have to tell them, “We did not get him back.”

Declaration of Candy Moyer, ¶7.

FAMILY OF JEANETTE LAFOND-MENECHINO

Decedent Jeanette LaFond-Menechino is survived by her mother, Dina LaFond, and sister, Anita Korsonsky, both Plaintiffs in this case. Decedent Jeanette LaFond-Menechino was employed as an account analyst for Guy Carpenter, a subsidiary of Marsh & McLennan Companies. Her office was located on the 94th Floor of the North Tower, WTC.

Category A -- Immediate Family Members

104. Decedent Jeanette LaFond-Menechino is survived by her mother, **Dina LaFond**, a citizen of the United States and a resident of the State of New York.

Thoughts of my daughter do not leave my mind at any time.... It is like she is part of my skin. I cannot watch any video or see any photographs of the 94th Floor of her building burning that day. I have photographs of her First Holy Communion, photos from high school, and her wedding photos right above my bed where I sleep every night. My daughter will always be a part of me. Only a mother could truly understand and offer the perspective that I can with respect to the loss of my youngest daughter due to a terrorist attack.

Declaration of Dina LaFond, ¶¶15, 17. Now 87 years old, Dina LaFond is a member of a team that gives tours of the World Trade Center site, and she shares her story with visitors.

Declaration of Dina LaFond, ¶ 17.

105. Decedent Jeanette LaFond-Menechino is also survived by her sister, **Anita Korsonsky**, a citizen

of the United States and a resident of the State of New Jersey. In her Declaration, Anita relates how close she and her younger sister, Jeanette, were:

We really enjoyed spending time together. We spoke on the phone daily, some days we spoke many times.... I remember calling my sister on the night before 9/11 in the evening. It had been really bad weather. She had walked from the train station and gotten really soaked. On the morning of 9/11, I was calling my sister from my office in New Jersey to find out how she was and if she had dried out. I would usually call her when I got into the office, before my workday started, and we would always have time to chat. But on that morning, I got nothing but a busy signal. Fifteen minutes later, a co-worker came into my office and said that a plane had just hit the Twin Towers. At first I thought it was like the incident in 1945 when a plane hit the Empire State building killing a few people. I did not think anything of it, but of course, I was curious because my sister worked there. I tried to get onto the internet and see what was going on. Then my co-workers and I began seeing the images of the burning towers. I was continuously trying to call my sister but all I was getting was a busy signal. I saw photos on the internet of where the first plane had hit the North Tower. I knew exactly where my sister worked on the 94th floor, and I could see the hole in the side of her building. Smoke was coming out of it, so I was certain that if she had been at her desk she was probably killed immediately. I really did not have much hope that she was alive if she was at her desk when the plane hit.... More information came in about the second Tower being hit.... I was trying to get in touch with family, but I could not reach anyone because there was no phone service. About an hour later, I heard that the Towers had collapsed and, at that point, I did not think I would ever see my sister again. And I never did.... There are times when I have these horrible visions of Jeanette running around, being burned, and knowing that there was no way to escape, or her sitting some place on the floor knowing that, inevitably, she was going to die. I know there were people who jumped out of the building. I hope she was not one of them.... I think about that and then I convince myself that Jeanette did not feel anything and that when the plane hit it was just over. That is the only way I can live with the visions of that day. I made up that story for myself because I do not really know what happened. You have to make up a story since her body was never recovered and there is no way to establish the circumstances of her death. That is the only way I can function and go on.

Declaration of Anita Korsonsky, ¶¶8, 9, 17.

FAMILY OF DENIS LAVELLE

Decedent Denis Lavelle worked for Met Life on the 94th Floor of the North Tower of the WTC. The Estate of Denis Lavelle was represented in Havlish by his sister, Marie Poprocki, as

the Personal Representative of the Estate of Denis Lavelle. Marie Poprocki was also a plaintiff individually in Havlish. 9/11 Decedent Denis Lavelle is also survived by his mother and four additional siblings, who are all Plaintiffs in this case. Denis Lavelle was the second youngest of six children. He was followed by the only other boy, and by the time their father died, his four older sisters were married and had families of their own.

Denis worked his way through college while supporting my mother and his younger brother. He never married and lived with our mother on 9/11 taking care of our mother who is handicapped with arthritis. She now lives alone and cannot perform even simple tasks such as taking out the garbage or opening and closing windows and blinds.

Havlish Declaration of Marie A. Paprocki, ¶¶4, 8.

Category A -- Immediate Family Members

106. Decedent Denis Lavelle is survived by his brother, **Paul Lavelle**, a citizen of the United States and a resident of the State of New York.

There were six children in our family and Denis and I were the only boys. We were also the two youngest siblings. Denis was about four and a half years older than me and all my sisters are at least 10 years older than us, and some of them much older. Because of this, Denis and I were very close growing up.... We lost our father at a very young age so we both were very tight as far as helping out in the house. We certainly were not rich by any means, so Denis and I both worked to bring money into the house and helped out any way we could.... I think being raised under really tough circumstances made us closer.... I got married young but Denis never married. That left him at home with our mother.... Denis was committed to her and to staying with her.... I admired him; Dennis worked five days a week and spent the rest of his time basically looking after our mother.... All five of the other siblings were married... so it was just the two of them.... It was ridiculously tough on her when Denis was killed.... It is unthinkable to me how much she has suffered.... It is tough constantly being reminded of how my brother was murdered because of the constant media attention to 9/11.... I wish there was a way of being able to forget about it and to move on, but the media is always there reminding you every single year and it just does not go away and it is tough to always be emotionally upset. I have lost other people in my life, such as my father, and to a certain extent you can put that out of your mind. But 9/11 is always an open wound.

Declaration of Paul Lavelle ¶¶ 4, 7, 14.

107. Decedent Denis Lavelle is survived by his mother, **Emily Lavelle**, a citizen of the United States and a resident of the State of New York.

Denis was in high school when his father died.... He took on a great deal of responsibility. He put himself through college, earning an accounting degree, while working to help support me and his younger brother, Paul. I was not able to work because I have severe arthritis all over my body. I use a wheelchair or walker to get around. I also suffer from diabetes. Denis continued to live at home with me. He helped support me financially and he cared for me. I am 83 years old now. I was in my seventies when Denis was killed. Denis was not only my son, but he was my friend and caretaker. I still expect Denis to walk through the door after work every evening at 6:30 p.m. I miss his goodnight kiss that he would give me every night before he went to bed. The pain and suffering of Denis' loss is more overwhelming than any monetary loss of his salary to me. I miss my son deeply and mourn for him still.

Declaration of Emily Lavelle, ¶¶4, 8, 9.

108. Decedent Denis Lavelle is also survived by his sister, **Patricia Caloia**, a citizen of the United States and a resident of the State of New York.

After 9/11 I tried to watch as little TV as possible because every time I watched it, it made me sadder and I would get upset and cry. I did not like people talking to me about 9/11 because I got upset every time somebody would bring it up. But I still carried on the best I was able. I did not discuss my brother's death with strangers. I wanted to have as little conversation about it as I could. I did not want to talk about it. I tried to avoid it.

Declaration of Patricia Caloia, ¶11.

109. Decedent Denis Lavelle is also survived by his sister, **Barbara Dziadek**, a citizen of the United States and a resident of the State of North Carolina.

I cannot put into words the pain and suffering experienced by all of my family members for the long days after September 11 when we didn't know if Denis was alive or dead.... My brother Paul traveled downtown to the Medical Examiner's office to submit DNA samples which was very agonizing. To this day none of Denis' remains have ever been found.

Declaration of Barbara Dziadek, ¶7.

110. Decedent Denis Lavelle is also survived by his sister, **Kathleen Palacio**, a citizen of the United

States and a resident of the State of Florida. Kathleen states:

The emptiness I feel in my heart is very hard to express with words. Not a day goes by that I do not talk to Denis. I know that his spirit is still with us and I often see him in my dreams.... My brother's loss was devastating to me and it caused me emotional and physical problems. I had severe back problems which came on right after his death. These problems lasted for a year and a half.

Declaration of Kathleen Palacio, ¶¶8, 9.

FAMILY OF LEON LEBOR

111. Barbara Lurman is the surviving daughter of Leon Lebor, and the Personal Representative of the **Estate of Leon Lebor**. She is a United States citizen and a resident of the State of New York. 9/11 Decedent Leon Lebor was a naturalized United States citizen. He is also survived by his mother, Bessie Lebor, and sister, Joy a/k/a Rina Kaufman. All three women are individual Plaintiffs in this case. Decedent Leon Lebor worked as a custodian at the WTC.

Leon worked in the Twin Towers. Because Leon was deaf from birth, he was not able to contact us by phone and he was never trained to use a computer. My family and I mainly communicated with Leon through letters. As a result of his deafness, Leon was also limited in his language capabilities.... When necessary he asked a co-worker or a friend to contact family members in the United States by a third party phone call. We would speak to a friend or co-worker while he stood near them. Naturally, his handicap made it even harder for the family to make the necessary inquiries regarding his whereabouts at the time of the attacks.... Although we knew that Leon was in fact in one of the Towers at the time of the attacks, we still did not know if he had managed to get out, or whether he had been trapped or if he was killed instantly.... When watching a movie made about the Twin Towers (based on facts told by firefighters who eventually got out), I witnessed how fire fighters who were trapped under rubble for days kept their sanity by talking to each other from different places, while struggling to stay alive. They encouraged each other and were not alone in their pain and fear. This, of course, would not have been the case for my brother. If he was trapped and frightened he was alone in his deaf world unable to hear any words of encouragement or derive comfort and hope from others surrounding him.

Declaration of Rina Kaufman, ¶¶8, 13, 18.

Category A -- Immediate Family Members

112. Decedent Leon Lebor is survived by his only child, **Barbara Lurman**. Like both of her parents,

Barbara Lurman is deaf. Her parents had divorced when she was only three years old and she had been estranged from her father and his family for most of her life. She describes the aftermath of 9/11:

The sadness I felt each passing day watching the news and reading the newspapers, watching people try to recover and heal from this horrendous terrorist attack slowly started to abate. One November morning, a friend emailed me and my mom a newspaper article stating that Leon Lebor's body had finally been recovered. The moment I read my father's name, I looked into my mother's eyes... and saw the shock, confusion, sadness, and numbness that I was feeling reflected in them.... I know I will never get a chance to see him again which I had hoped would happen one day. I wonder if he had suffered a slow and painful death or if it happened instantaneously.... I received an email from my Uncle David, my father's brother. I will never forget the heavy tears that came rolling down my face as I read the email.... I was so emotionally overwhelmed to hear from someone from my father's side of the family. When I finally got to meet with Uncle David and his wife for the first time after so many years, I was so happy to reconnect. Reading a letter from my favorite Aunt Joy, who I remembered very well, hit me really hard in many different ways.... I realized we were being kept apart because of misunderstandings and miscommunications. That following summer, I finally flew to Israel with my family to meet with the rest of my family - my loving grandparents and my aunt and uncle and cousins.... While it was joyous, it also felt as if we were grieving once again.... I was an emotional disaster. I had lost my stepfather the previous year and I was going through a difficult divorce. The news of my father's death from the horrendous September 11 terrorist attack added more pain and sadness to my life. I find my grief very unique as I deal with the loss of my father in the worst possible way imaginable.... It is with great loss knowing I will never ever know what would become of my relationship with my father if I was to find him again. He never found joy from my children, his grandchildren. He died without having the opportunity to reunite with us. He died alone and for this I will always be sorry.

Declaration of Barbara Lurman, ¶¶6-8, 9.

113. Decedent Leon Lebor is survived by his sister, **Joy (Rina) Kaufman**, who is a citizen of the United Kingdom and Israel. She resides in Israel. She writes in her Declaration:

I first heard about the terrorist attacks on September 11th through the television in my home in Jerusalem, Israel. It was afternoon in Israel. My husband, Yacov, was on a business trip in the United States.... I received a call from my husband, who told me that he was trying to locate my brother, Leon.... Prior to the attacks, my husband had invited Leon to dinner which he usually did when he visited my brother in the United States. It was a luxury that my brother, who worked in

maintenance, could not afford.... My husband decided to introduce Leon to a nicer restaurant than he was familiar with and scheduled to meet him at Abigail's restaurant for lunch on 9/11..... My husband had no way of contacting my brother after he heard about the attacks. Holding on to the slim hope that he might show up, Yacov decided to go to Abigail's and wait for him. My husband waited alone in front of a closed restaurant for Leon to show up for two hours. Leon was divorced and lived alone. When he did not show up to the lunch meeting, my husband realized he would have to try and find Leon.... Needless to say, while all this was taking place, I was alone in Israel. I was panicking and distraught while waiting impatiently for updates. I was helpless; there was nothing I could do. My husband searched my brother's apartment and found Leon's employer's contact number. Yacov was told that Leon was in fact working in the Twin Towers at the time of the attacks.... At this point I still had not informed our elderly parents that their son had been working and was a victim of the attack. My family was aware that my brother, Leon, had another job in the Javitz Center, and my parents thought that he no longer worked in the Twin Towers.... Immediately after the Jewish New Year, I told my parents that Leon had been involved in the attacks of 9/11 and that although I was still contacting hospitals, we had reason to believe that he is dead. We asked high rabbinical authority when we could sit Shiva and the answer was that we could not sit Shiva until there was no more hope of finding the body. This was very hard for us to tolerate and especially for my father, who could not say Kaddish (a prayer of mourning for a son) until he actually sat Shiva. We kept updating the rabbinical authority with details, hoping it was enough to enable them to allow us to sit Shiva. They kept turning us down. After we told them that we had given up hope that his body would be found, we were finally able to sit Shiva after the Sukkot holidays which took place in October of 2001. Another tremendously hard situation arose from the fact that we had no body. I was not able to recite the prayer for the lost family members when recited in Synagogue on Yom Kippur. I needed to exit the Synagogue with all the congregants that had not lost a family member as if Leon was still alive. I remember to this day how painful that felt. It was not until November that his body was discovered and brought to Israel for burial. Until then, I had to mourn Leon's loss without a grave to visit. Even when brought for burial, due to the condition of his remains, we were denied the opportunity to identify him and say good-bye before the burial. At that time, we went through the unnatural grief of burying my brother after already having sat Shiva. It was also tremendously painful that we could not sit Shiva again after the funeral. By Jewish law we were not allowed to sit at home in mourning for even a minimum period but we were required to continue with our daily activities such as work.... Grieving for my brother both prior to his burial, without hope of finding his body, and also following his burial, was so different from the normal grieving process. I felt enormous pain when burying my brother. He was identified based on a DNA test. I did not and still do not know how quickly he died. Although my brother's body seemed to be generally whole, I saw a little bag with some of his remains, buried together with him. This told me that he was not with all his limbs. Had he been terribly crushed? Was he killed instantly or

days after the attacks? Did he suffocate or suffer burns as a result of the attacks? Was he trapped between the rubble? These thoughts are something that I can never recover from.

Declaration of Rina Kaufman, ¶¶8-13, 16, 17.

114. Decedent Leon Lbor is survived by his mother, **Bessie Lebor**, who is a citizen of Israel and the United Kingdom. She resides in Israel. Bessie Lebor writes about her oldest son, who was born deaf:

Leon, due to his handicap, did not have a high paying job. He could not afford to pay for a trip to Israel. Since my husband could not travel anymore, I wrote Leon a letter in the summer of 2001 offering to buy him a plane ticket so that he could be with us for the Jewish New Year, one of the High Holidays. In August of 2001, a severe terrorist attack took place at the Jerusalem Sbarro restaurant where many were killed and others were seriously wounded. In Leon's response to my letter, his last letter before he was killed in the 9/11 attack, he expressed his concern regarding a trip to Israel and exposing himself to terrorist attacks "that do not occur in the streets of New Jersey." How ironic and painful to receive this letter just after learning of Leon's death in the 9/11 attacks. In this letter, he also expressed his excitement at seeing his brother-in-law, Yank. The two had made a lunch date on September 11, 2001.

Declaration of Bessie Lebor, ¶12.

FAMILY OF ROBERT LEVINE

Decedent Robert Levine worked on the 104th Floor of the North Tower of the WTC.

The Estate of Robert Levine was represented in Havlish by his Personal Representative, Roni Levine, who was his surviving spouse. Roni Levine was also an individual plaintiff in Havlish.

Category A -- Immediate Family Members

115. Decedent Robert Levine is survived by his daughter, **Stephanie Giglio**, a citizen of the United States and a resident of the State of New York. Stephanie states in her Declaration

I lived with my parents in Babylon, New York, when I was growing up. As far as I know, my father had always worked on Wall Street. He was gone from 6 o'clock in the morning until 6 o'clock at night. We would always have dinner together every night. He was very good to my mom.... I am an only child. I was the perfect definition of daddy's little girl. In his eyes, I could do no wrong. My

dad always wanted me and my mother to be happy. We were very close... After my divorce, I lived with my parents for five years. My two oldest sons were little. They thought their granddad was God's gift to the world. I think he felt the same way. He was the only positive male role model in their lives until I remarried.... Right after 9/11, I lost about 20 pounds.... I was a nervous wreck all the time, jumpy, irritable, and pacing. I was like that for a long time.... Finally I realized that I needed help. I was put on anxiety medication... I saw a therapist. I had a lot of problems sleeping. Between taking care of a baby, my mother, and my mother-in-law, I was exhausted.... It was not easy being an only child, because there was no one else I could turn to for help with my mother and the whole situation.

Declaration of Stephanie Giglio, ¶¶7, 8, 12.

FAMILY OF CATHERINE LISA LOGUIDICE

Decedent Catherine Lisa LoGuidice, a citizen of the United States, worked at Cantor Fitzgerald on the 105th floor of the North Tower of the WTC. Her brother, Michael LoGuidice, was a plaintiff in Havlish.

Category A -- Immediate Family Members

116. Decedent Catherine Lisa LoGuidice was survived by her father, **Carmello Joseph LoGuidice**, now deceased. Carmello Joseph LoGuidice was a citizen of the United States and a resident of the State of Florida, as is his son, Michael LoGuidice, who is also Personal Representative of his father's Estate. Michael LoGuidice describes his father's experience on 9/11:

...[H]e was at work in Manhattan and watched through the window as the World Trade Center was on fire and collapsed.... my father called Cathy Lisa and was able to talk to her on the phone. She told him there was smoke coming from the floors below and that she was sitting under her desk after the initial impact of the plane. She said that the smoke was getting worse. She was crying and afraid.... The conversation was abruptly cut short when the power went out. He never heard from his daughter again.... Parts of her body were found on the adjacent building.... After 9/11, he never returned to work. My father was 61 years old when Cathy Lisa died. He immediately retired and lost all position and benefits with the company where he worked.... He eventually left New York and moved to Florida because he could no longer live in the state that was his home for all of his life.... [H]e lost friendships that he had had over 40 years.... My father stopped taking all of his medication because of his depression. He ignored many health issues, especially the loss of hearing in his left ear. This was caused by an

acoustic neuroma that became so big that it caused a seizure... After that, my father spent months in rehab.... In February of 2002, my mother attempted suicide and a few months later my father also tried to kill himself.... Our family and my father in particular had no enjoyment out of life for many years after Cathy Lisa was killed. Five years later, my father died on September 11.

Declaration of Michael LoGuidice on behalf of Carmello LoGuidice, deceased, ¶¶4, 6, 7.

Category C – Other Functional Equivalents of Immediate Family Members

117. Decedent Catherine Lisa LoGuidice was survived by her nephew, **Christopher James LoGuidice**. He will file a motion for voluntary dismissal with this Court.
118. Decedent Catherine Lisa LoGuidice was survived by her niece, **Nicole Elizabeth LoGuidice**. She will file a motion for voluntary dismissal with this Court.
119. Decedent Catherine Lisa LoGuidice was survived by her niece, **Deanna Marie LoGuidice**. She will file a motion for voluntary dismissal with this Court.
120. Decedent Catherine Lisa LoGuidice was survived by her nephew, **Michael A. LoGuidice, Jr.** He will file a motion for voluntary dismissal with this Court.
121. Decedent Catherine Lisa LoGuidice was survived by her fiancé, **Erick Elberth**. He will file a motion for voluntary dismissal with this Court.
122. Decedent Catherine Lisa LoGuidice was survived by her brother, **Michael A. LoGuidice**. Michael A. LoGuidice was an individual plaintiff in Havlish, and he received a damages award for solatium in that case. The inclusion of an individual claim on his own behalf in this case was in error. He is the Personal Representative for the Estate of his father, Carmello Joseph LoGuidice in this case. Michael A. LoGuidice should receive an award in this case only as personal representative of the Estate of Carmello Joseph LoGuidice ¶116, as set forth above in the Category A section.

FAMILY OF JOSEPH LOSTRANGIO

Decedent Joseph Lostrangio was employed by Devonshire Group on the 77th Floor of the North Tower in the World Trade Center, WTC. The Estate of Joseph Lostrangio was represented in Havlish by his Personal Representative, Theresann Lostrangio, who is his surviving wife. Theresann Lostrangio also was a plaintiff individually on her own behalf in Havlish. Decedent Joseph Lostrangio is survived by his children, Joseph Lostrangio, Jr. and Cathryn Lostrangio, who are residents of the Commonwealth of Pennsylvania. Cathryn Lostrangio is represented in this case by her mother and guardian, Theresann Lostrangio. Decedent Joseph Lostrangio was also survived by his father, James Lostrangio, now deceased, who was a citizen of the United States and a resident of the State of Massachusetts.

Category A -- Immediate Family Members

123. Decedent Joseph Lostranigo is survived by his son **Joseph Lostrangio, Jr.**, who explains in his Declaration:

I decided at that time that it would be in my family's best interest for me to remain at home so that I could continue to manage the household while helping to care for my special-needs sister. Our mother had to work a lot after 9/11 and it was very difficult for my sister.... [S]he had a very close relationship with my father. I tried my best to provide her with some father-like support and structure. It is difficult to go from a 19 year old college student with no worries to the man of the house with the responsibility and pressure of taking care and protecting your family. This change occurred for me overnight.... After much thought and anxiety, I made the decision to return to school.... It was often difficult financially to pay tuition each semester, but we were able to manage.... I graduated *Summa Cum Laude* with a double major.... I am sure my father would have been proud of me..... The effects of that horrific day ten years ago still affect our family deeply.... I live at home and spend the majority of my time caring for my sister with my mother. I manage the family finances while also finding time for small freelance projects on the side when time permits me to be away from my sister. After losing a husband or father or any loved one, you need to support one another that much more because those people are all you have left.

Declaration of Joseph Lostrangio, Jr., ¶¶8, 10, 11.

124. Decedent Joseph Lostrangio is also survived by his daughter, **Cathryn Lostrangio**. Cathryn Lostrangio has special needs. Her legal guardian and mother, Theresann Lostrangio, writes in her declaration about her daughter:

On the morning of September 11, 2001, I took Cathryn to her first day at the new school - the school Joe and I had fought so hard to get her into. After dropping her off, I ran an errand and returned home to the ringing of the telephone. I was not able to answer the phone in time, but the caller, our son Joe Jr., left a message. He said, "Mom I think a plane hit Dad." And then the phone sounded as if it disconnected.... In order to pick up our daughter, I had to regain composure and think about how to tell her about what is going on. When I arrived I was met by the head of the school. That was when I learned that all the classes were watching the events on television. Our daughter had taken her Daddy's business card out of her knapsack and asked the teacher "Is that where my Daddy works?" The teacher was horrified, but tried to be supportive. When Cathryn and I got into the car, I tried to explain, as gently as I could, that it was Daddy's building involved, but that I was not sure if he were hurt.... Cathryn would ask me over and over again where her Daddy was and I did not know how to answer her questions. I knew that, for the sake of my children, I needed to provide stability during this horrible, turbulent time. Nevertheless, I was not able to speak to Cathryn without losing composure. I decided to have her see a neuropsychologist who would help her understand the events. After September 11, 2001, Cathryn became very depressed. She had difficulty sleeping, and her appetite changed. She was horrified whenever she thought she might be left without a family member present. Cathryn's fears made it even more difficult for me, so our son left school and eventually started classes at the local community college since I had to return to work. All of these events were particularly stressful for Cathryn because she had experienced a great deal of loss in the years just before 9/11.... I do not know how to fill the emptiness in Cathryn's little, kind heart. Nothing will lessen her anxiety or the feelings of loneliness she continues to feel. Cathryn desperately needs to continue the proper counseling and special needs assistance. It is a challenge now to find employment for her; she needs a place that will be understanding of an adult with special needs. In that regard, my husband's help would have been invaluable and cannot be replaced. She would also need a place to live should something ever happen to me, or should I ever become too ill to take care of her.

Declaration of Theresann Lostrangio as Guardian of Cathryn Lostrangio, ¶¶7, 9, 11-12, 20.

125. Decedent Joseph Lostrangio was also survived by his father, **James Lostrangio**, now deceased. A suggestion of death has been filed with this Court, and his estate was substituted as a party plaintiff.

I had to be strong not only for myself, but for my family, and not only my mother and sister, but my paternal grandparents as well. My father was their only son. My grandfather, James Lostrangio, was retired from his job as a city engineer in New York City. He and my grandmother who lived in Massachusetts at the time, found out about the attacks from watching television and from friends. They contacted my mother to see if he was actually at the World Trade Center on the day of the attacks. My father had started a new job at the World Trade Center just the day before the attacks. But we did not know anything for sure as there was no contact. The cell phones were not working. We were in constant contact with my grandparents, who were of course devastated. They were contacting old friends to see if they could find out any information. My grandmother did come into the city, but because my grandfather could not travel at the time because of his physical limitations, we went up to see him within a few weeks of the attacks.

Declaration of Joseph Lostrangio, Jr., ¶6.

FAMILY OF CHRISTOPHER E. LUNDER

126. The **Estate of Christopher E. Lunder** is represented in this case by his surviving spouse, Karen Lunder, a citizen of the United States and a resident of the State of New Jersey. Decedent Christopher E. Lunder was employed by Cantor Fitzgerald, located on the 104th floor of the North Tower, WTC. In her Declaration, Karen Lunder explains:

Christopher's entire floor was lost; everybody that was there that day died. He worked on a huge floor with rows and rows and rows of people. But there were two or three rows of people that were in the government agency desk. One of Chris' friends on that trading desk was Brooke Jackson. She was very young and had just started working there. She was able to get a phone call through to her mom's answering machine. Her message said that all of them were together in one of the conference rooms on the northeast side of the building and they were waiting for the firemen in one office. Everyone that worked on that desk was very close. They loved each other and they loved going to work. They were excited about going to work and being together every day. Going to work and then dying at work; that is what I cannot comprehend. After the plane hit, I never got a hold of Christopher on the phone, but I did get an email from him that said that "a plane hit the building and I love you." That came at 8:54 a.m.... They never recovered any of Christopher's remains, or his jewelry or anything. He would have been wearing his wedding ring and a watch. His watch had a serial number on it and his ring was engraved. I went to the NYPD and submitted that information but they never found his belongings or even pieces of them.

Declaration of Karen Lunder, ¶¶8, 10.

Category A -- Immediate Family Members

127. Decedent Christopher E. Lunder is survived by his wife, **Karen Lunder**.

... I was at work on the 38th floor of the Smith Barney Building, which was about a half mile from the World Trade Center. I heard the explosion when the first plane hit Christopher's building. I walked out the door of my office, looked to the right and I saw the gaping hole in the Trade Center. I went back in to the office and called Christopher, but he did not pick up. Then I walked to the other side of the building and I saw a plane heading up the Hudson River. I walked back to my office and heard the explosion of the second plane crashing into the second tower. My sister, who was in New Jersey, called me and said, "Get out of the building. They are dive bombing the building." ... Our apartment building was between the building where I worked and the Trade Center. I headed toward our apartment while everybody else was running the other direction.... I did not know what else to do.... As I spent the day alone in our apartment, I could not fathom the concept of leaving without him.... I watched as the South Tower fell. Then I watched as the North Tower fell. Cantor Fitzgerald was in the first tower hit, but the second one to fall. Between four and five o'clock, I left my apartment building and I headed uptown.... I left with nothing. I had my keys and my wallet.... I was in absolute shock; I did not know where to go or what to do without Christopher by my side. I was thirty-three; he was thirty-four. By that time we had been together fifteen years; almost half my life, and my entire adult life. When I left the building, it was bizarrely quiet and solemn. I walked up the West Side Highway and there were triages set up, but of course there were no victims, so they were all empty.... The next morning, my mom pulled up to my sister's house and she said, "Get in the car." She drove me to a therapist right away. Not many people would have done that. So I started therapy on September 12th. I suffered from major post traumatic stress. I did not have to be hospitalized, but I went to therapy every day. I was on antidepressants, anti-anxiety medication and sleeping pills. This continued for three or four years. After that I went a couple of times a week, and then I was down to once a week.... My mom would sit in the room with me as the therapist would have me talk about that day and all the images in my head of what I saw. We had big windows at our apartment. The way the Towers were built, at a certain time every night the lights would go out on certain floors. Then the next group would go out, and then the next group. So we would go to bed every night watching TV and watching the lights go out in the buildings. We always had binoculars out because we had fantastic views of the water, the Statue of Liberty and of course the Towers.... But on 9/11, I watched people hanging out of the windows and some jumping or falling out of the towers with my binoculars.... With PTSD the slightest bit of noise is a problem for me. Sudden or loud sounds, anything abrupt, bright or flashing lights are all an issue for me. I lost twenty-five pounds after Christopher was killed.... I was not able to fly for several years.... I was not comfortable in my own skin because I had so much anxiety. If I could have pulled my skin off, I would have. I was not sleeping. I had the classic signs of

post traumatic stress; anxiety and depression. It was just horrible. I was never alone. My sister slept with me for six months. She had a seven month old baby on 9/11, and the two of them slept with me every night.

Declaration of Karen Lunder, ¶¶ 5, 6, 9, 13.

FAMILY OF NOELL MAERZ

Decedent Noell Maerz was a bond trader employed at Euro Brokers, located on the 84th floor of the South Tower of the WTC, and a citizen of the United States and a resident of the State of New York. His surviving parent, Ralph Maerz, Jr., was an individual plaintiff in Havlish.

Category A -- Immediate Family Members

128. Decedent Noell Maerz is also survived by his brother **Erich Maerz**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania. Erich Maerz is the middle child of three boys. His father wrote in his Havlish declaration:

... [B]y the end of the day my sisters, friends and other family members and my middle son, Erich, were at the house... Tuesday and Wednesday was spent calling hospitals and any other places in New York City we could think of to find Noell. Prayers and hope and the support of family and friends got me through the blur of those two days. By Thursday morning, we had decided, myself, my son Erich and some close friends that we needed to go to New York and see for ourselves if we could find Noell and to take photos to hang to help find him.... We came home from the city discouraged but only to find out that I had missed a phone call from my son the day the towers fell.... After the realization that Noell was murdered, my middle son Erich and I knew Noell was going to run in the New York City marathon in November. In October, Erich and I decided to run it for Noell so we had a month to train, which is unheard of, and hope that we could accomplish our goal. Word got out and we were on television, news broadcasts, and newspapers, not something we cared about; we just wanted to do something for Noell. Well we ran it and we made it and - in my case - I have to say Noell helped carry me through. We had tee shirts made with Noell's picture and so many cheering folks and kind people made those grueling miles a little easier.... My family is torn apart. I can't give you the answers as to why, but as close as I was to my middle son, he no longer talks to me. I have to say that Noell was the peacemaker in the family and brushed things over that his brother thought important. Without him we are not longer a family.

Havlish Declaration of Ralph Maerz, ¶¶6, 8.

FAMILY OF MARY MELENDEZ

Decedent Mary Melendez worked on the 90th Floor of the South Tower of the WTC. The Estate of Mary Melendez was represented in Havlish case by the estate's Personal Representative, Ramon Melendez, who is her surviving husband. Ramon Melendez was also an individual plaintiff in Havlish. 9/11 Decedent Mary Melendez is also survived by four sons and two sisters.

Category A -- Immediate Family Members

129. Decedent Mary Melendez is survived by her son, **Ramon Melendez, Jr.**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania. Ramon describes the “agonizing search” for his mother and the devastation and continuing trauma of her loss:

We called hospitals and made trips to New York to pass out flyers, all to no avail. My mother never came home. At this point my little brothers knew something was wrong. They kept asking when mommy was going to come home. What could I tell them? How does one sit down and tell two little children that their mother is dead? My dad was too broken up to talk to them. He tried but he could not finish. He just broke down in tears and started hugging them. I do not know how I found the strength to talk to them. How do you tell two children that the woman, who their whole life revolved around, is gone for good? I somehow remained unbelievably composed through the whole thing and bottled up my emotions so I could be strong for them. Everyone commented on how I could be so strong at that moment, but I really was not. I would secretly cry my eyes out when no one was looking, and then bottle up my emotions to remain strong for everyone else. I think that this pattern ruined me emotionally. I have become an angry person and my emotions often control me. I was never like this before my mom was murdered.... That day changed my outlook on life. Now, I am very uneasy in public settings. I am always scanning people and their actions looking for potential danger. I worry about my family when they are out in public without me. I have become very antisocial and try to avoid gatherings and large crowds. I do not like going into tall buildings and I avoid elevators at all costs. The thought of my mom being trapped in a burning elevator free falling 90 stories enters my mind every time I step into an elevator and now I refuse to enter one at all. I become angry a lot for no reason and have been fighting depression on and off since that day. Prior to 9/11, I saw the good in life and enjoyed myself, but now that is not the case. I worry about my kids and my family more than I enjoy

the time I spend with them. The thought of my children never seeing my mom saddens me deeply, and every time anyone talks about her I become depressed and angry.... I lost my job after 9/11 because I had to return home to help take care of my brothers. I had a good job and was continually advancing my career. I had to start all over again in Pennsylvania. Because of the time I invested in taking care of my brothers, finding a job that paid the same amount I had been making in New Jersey was impossible.... I lost my apartment and my friends in New Jersey. I now have to commute almost an hour each way to earn close to what I used to make. I have developed an extreme fear of heights. The thought of my mother falling to her death pops into my head whenever I get into a situation that involves heights. This is continually an issue because part of my job requirements as a maintenance technician is that I routinely climb silo ladders at heights of over 50 feet....

Declaration of Ramon Melendez, Jr., ¶¶8, 9, 10.

130. Decedent Mary Melendez is also survived by her son, **Ricky Melendez**, a citizen of the United States and a resident of the Commonwealth of Virginia. On September 11, 2001, Ricky Melendez was in his final week of Marine Corps boot camp, the Crucible, and the trainees did not have access to the news.

That morning we kept hearing that planes had crashed into the World Trade Center, the Pentagon and another location, but no one was sure where the fourth had crashed. We thought it was part of our training, part of the mind game of getting us revved up for training and war. None of us took it seriously.... about six that evening we stopped training and our field trainers brought us all into a large covered area, or in Marine terms, a thunder dome. They asked us if anybody had family in New York City, D.C. or Pennsylvania. I was the only one who stood up. They called me to the front and took me out back in to the woods so that no one else could see or hear us.... The field instructor took out his cell phone and told me to call home. Before I could dial, he took it out of my hands and said that he would dial. I gave him the number.... Finally, my dad picked up and he was crying. At that point, 9/11 became real.

Declaration of Ricky Melendez, ¶5. Ricky was also given the choice of leaving immediately and repeating boot camp or staying and completing the week; he chose to stay.

The first two years of my enlistment I cannot recall much. I was lost to depression. It was not until '03 that I remember coming out of it to a degree.... I had not even bought clothes during those two years. I did not have many friends. Nobody liked me because I was just angry all the time. I was not in good standing with the Marines either. There was not a lot of understanding in the

corp. It is in the military culture to just suck it up.... There is a fix it yourself mentality. If you cannot hang, you get left behind. Just now the military is starting to recognize mental health needs. We have been at war for 10 years and it is starting to take its toll.

Declaration of Ricky Melendez, ¶11.

131. Decedent Mary Melendez is also survived by her son, **Jesse Melendez**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania. Jesse Melendez was eleven years old and in the fifth grade when his mother was killed. Jesse explains:

[B]ecause my home atmosphere changed after 9/11, I am a completely different person. My mom was the person who dealt with everything that was going on at home. She was always on me about my grades and [if] I was on honor roll. Afterwards, nothing against my dad, but he never put pressure on me. I changed my priorities and I did not do well in school. My dad wanted us to be happy and he did not want to discipline us. He did not have many rules, and he never pushed us. By the time I got to high school, I did not have the same life as everybody else because everybody else had two parents who were strict. They had curfews and standards they had to meet and I did not really have any of that because he did not want to be the bad guy.... Now that I am older I realize that boundaries would have made me a better person than I am now. I started working at Jiffy Lube part-time while I was going to school. Money got really tight and I felt that I had to focus on working instead of school to help with the bills. Since my money was going to household bills, I could not afford to go to school.... I was going to school for electrical engineering. Eventually, I would like to work with computers, but it is hard without an education. So I just change oil and I am not where I wanted to be in life.... Now we do not do anything as a family. We live in the same house, but we live our own lives like roommates. But when my mom was alive, we had a family. You were part of a family before you were your own person.

Declaration of Jesse Melendez, ¶¶11, 12, 14.

132. Decedent Mary Melendez is also survived by her son, **Tyler Melendez**, who is a citizen of the United States and a resident of the Commonwealth of Pennsylvania. Ramon Melendez is the father and natural guardian of Tyler Melendez. Tyler Melendez was in the first grade when his mother was murdered. He states:

I grew up without a mother. I grew up without her warm embrace, without her unconditional love, and without learning the values only she could teach me. I

grew up without balance. I grew up with only a dad; a dad who was very depressed. There were times that I longed to have my mother back. I have been taught to suck it up and I have tried. I think that I am emotional because I had to suck it up and I never had an outlet for my feelings.... I did not have the discipline I needed as a child. Had my mother been alive, my dad would not have sunk in to the deep hole of depression and I would have had boundaries set by both parents.... I have had a girlfriend.... Her mother hates me.... She tells me I need therapy, and she has told me straight out that I do not understand anything that goes on in her family because I do not have a mother. It makes me wonder how different my life would be if my mom had not been murdered.... Maybe I would be more understanding; maybe I would be more sympathetic... She always put family first. Before September 11, my family was close. Not just my brothers, but my aunts and uncles and cousins would come over daily and hang out.... After she died it was like our family was shattered.

Declaration of Tyler Melendez, ¶¶7, 9.

133. Decedent Mary Melendez is also survived by her sister, **Florence Rosario**, a citizen of the United States and a resident of the State of Minnesota. In her Declaration, Florence explains that her sister Kathleen was a year older than her, Margaret was two years younger than her, and Mary was the baby, who was seven years younger:

When she got married and got her own home, it became the place to hang out. Everybody wanted to be at Mary's house.... Mary's family was not rich either but they always shared what they had.... [N]o matter what happened or who it was, Mary sent everybody a card on their birthday and she remembered everybody. Every Christmas Mary would get so many cards.... I talked to Mary the morning of 9/11 before I left my house. She was going down to get some tea and a bagel and she was going to call me when she got back to her office. That call never came.... I was taking my adopted son, Frank, to see his psychiatrist and I passed the bar that my sister Margaret owned. She flagged me down and told me that a plane had hit the first tower. We just assumed that it was an accident. I took my son to the doctor, and then I dropped him off at school, before I returned to the bar to talk to Margaret. I am handicapped and I cannot walk stairs, so when I got there she had a couple of people bring me down stairs to her office in the basement. That was when she told me that the other building had been hit by a plane and we just stayed there watching TV to see what was going on. When the towers fell, that was when I thought. "She will be okay, she got out.".... I did not believe she was dead for about a year or two because I always thought, "Well, they found her arm; she can live without an arm." I was in denial.... I thought maybe she had amnesia. I kept telling myself that she could still live without an arm or a leg but they kept calling Ramon, her husband, and telling him that another bone or a fragment was found. Eventually, I could no

longer deny that she had died.... I had another sister, Kathleen, who was also missing for the day of 9/11, but we heard from her that evening.... The Towers took my older sister Kathleen, too. After 9/11 she had lung problems from breathing that air every day. She died in her sleep.... [T]hey said she died because she could not breathe.... The doctors said there was a lot of damage done to her lungs and I really believe it was from the 9/11 air she breathed.... Another difficult aspect of 9/11 came from the way our family changed. Mary and I spoke every day. I knew all about her and her family. I lost touch with Ramon and her boys for a couple of years because he did not want to be around us because it reminded him of Mary. He withdrew from everybody who knew Mary and he looked for strangers to talk to. This was very difficult and sad for me and for the boys they did not have the family to help because Ramon could not handle it.

Declaration of Florence Rosario, ¶¶4, 5, 7, 8, 11, 16.

134. Decedent Mary Melendez is also survived by her sister, **Margaret Montanez**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania. Margaret recalls being at the neighborhood bar she owned by 8:00 a.m. on September 11. About 8:45, she asked the bartender to change the channel on the TV and she saw that the first plane had just hit the first tower.

I immediately called my brother-in-law, Ramon and asked him what was going on.... He said he had just gotten off the phone with her and she told him that everything was ok. He begged her to get out of there, but she said they had been advised that everything was ok and that they should stay put.... [H]e advised me that Mary was in charge of emergency services for her floor and that she could not leave until everyone else from her company was gone. Mary was that kind of person, she would do her job and everyone could count on her to be the last one out.... I kept watching TV and suddenly the second building was hit.... My other sister Kathleen, the oldest one, was missing too. She worked two blocks from where Mary worked.... I called Ramon back again. I was frantic and I could hear the panic in his voice. Florence and I finally got through to Kathleen. She was terrified and she promised she was not leaving the city without Mary. Our family will never be the same ever again. It has been years but I feel like it just happened yesterday.... I miss her so very much. Mary was my best friend. I could talk to her about anything and she was always there to listen to me. Mary was the one person who kept in touch with our aunts, uncles, cousins. Mary was the one who would arrange for the family to go to relatives' houses.... Now that Mary is not here we are hopeless as a family. Mary was the glue that held us all together. Without her we are not a complete family. There are no family gatherings anymore.... Everybody does their own thing now and the family is still not back together.... I cry quite often for her. My world has been turned

upside down and I cannot fix it. I think about Mary every day and I want her back so much it hurts.

Declaration of Margaret Montanez, ¶¶5, 12.

FAMILY OF PETER T. MILANO

Decedent Peter T. Milano was employed by Cantor Fitzgerald on the 104th Floor of the North Tower of the WTC. The Estate of Peter T. Milano was a plaintiff in Havlish, represented by the estate's Personal Representative, Patricia Milano, who his surviving spouse and also had an individual claim in Havlish. 9/11 Decedent Peter T. Milano is also survived by two children, Peter C. Milano, a citizen of the United States and a resident of the State of New Jersey, and Jessica Milano, a citizen of the United States and a resident of the State of New Jersey. In addition, Peter T. Milano is survived by four siblings, including brothers Alfred, Thomas, and Frank Milano, and his sister, Maureen Racioppi.

Category A -- Immediate Family Members

135. Decedent Peter T. Milano is survived by his son, **Peter C. Milano**, a citizen of the United States and a resident of the State of New York, who was 15 years old when his father died in the WTC. He recalls:

... [J]ust before my father left to go to work, he came into my bedroom to kiss me goodbye. All these years later, I can still feel it. But I did not open my eyes, even though I was awake. I do not know why I did that. He would come in every morning and kiss me on my forehead before he left for work. Some days, I would be awake and would go have breakfast with him or get up and just chat about my day. Occasionally, he would even miss the ferry he was trying to catch because he was more concerned with what I had to say than he was with getting to work on time. But that morning, I could not open my eyes and I watched him pull out of the driveway and head to work. I do not have many regrets when it comes to my father, but this is certainly my biggest one.... There are so many things that I still do not understand about that day, and now I am going to have to explain it to my child. If anything, I wish my kids never had to be exposed to this.... There are days where I just do not understand how someone so good could be taken so horribly. It hurts me to think about the pain he must have gone through while he was trapped in that building. No one deserves that.

Declaration of Peter C. Milano, ¶¶4, 6, 8.

136. Decedent Peter T. Milano is also survived by his daughter, **Jessica Milano**, a citizen of the United States and a resident of the State of New Jersey, who was starting the eighth grade when her father was killed. In her Declaration, she explains:

For the longest time, I did not want to deal with 9/11 or my feelings. I would not talk about it. I did not cry. My mom got nervous because I was talking about if the world ended I would not care. I did not mean it in a suicidal way, I just thought that then we would all be together again. In my mind, things were not looking so good and if we could all be together somewhere then that would be okay with me. I probably did not really come to terms with everything until my freshman year of college.... Sometimes I cannot remember how my dad lived because I am forced to think about how he died. I do not get emotional over how he died. I get emotional over the fact that he is no longer living because he was the ultimate in every sense of the word. He was the best father and the best person. I am sure that everyone thinks that about their loved ones that were lost that day, but I have yet to meet anyone who even comes close. I love when something reminds me of him. I have learned to love to share him with people. Once opening up it is sometimes hard to stop, and my friends in college often said, "I feel like I know him." I want everyone to know about my dad. I think everyone deserves the opportunity to have known him. I only had my dad for thirteen years but he left such a deep impact on me. I often think, "What would my father think about this?" I do not want to think of the building when I think of him. I want to think of the millions of things that I love about him.

Declaration of Jessica Milano, ¶¶10, 15.

137. Decedent Peter T. Milano is also survived by his brother, **Alfred Milano**, a citizen of the United States and a resident of the State of New York. On September 11, Alfred Milano was on a bus on his way to his job at CitiGroup at Seven World Trade Center, which is located across a courtyard from the Twin Towers where his brother Peter worked at Cantor Fitzgerald. He recalls what he witnessed that day in his Declaration:

At first I was looking out the bus window and wondering what was going on. Someone had heard that a small plane had crashed into the Trade Center. While I was sitting on the bus and looking at the smoke billowing, I saw the tip of a plane wing and then I saw a huge explosion. At that point, the second plane had crashed into the Trade Center. There was a huge ball of flames shooting out of

the building and that is when I realized that this was not a small accident but something more was going on. I panicked and got a little bit emotional.... When the second explosion went off, I got out of the bus. I went over a divider to the highway and flagged down a car that had just come out of the Battery Tunnel. The person in the car had no knowledge of what was going on but was nice enough to take me down the Bell Parkway.... I walked across a footbridge which was about two blocks from my house on Shore Road in Brooklyn.... So many people I knew were killed on 9/11. People from my home town and from work. I was good friends with the Sandler O'Neal crew. I opened that account up and I became very good friends with them. I knew all the partners. I knew the guys at KBW, who were also my customers. Pete Ganzi, whose sister is our best friend died that day. My friend, Jim Tumbletee, who just sent me an email because he found out I am working at Cantor now, lost his brother, Lance. My friend, Billy, who up until recently sat at my right shoulder for 27 years, lost his brother too. I got my cousin Patrick, who was killed, his job at Cantor. He grew up across the street from us in Brooklyn. He was the first to come up to my new house in Upstate New York when I bought it. And of course my brother, Peter.... After 9/11, I struggled with going into work. I did not want to go through the Brooklyn Battery Tunnel. I did not want to take public transportation. I would go in late and come up with excuses as to why I was late. I would wake up and say this is the day of the next attack, and I do not want to be in the Battery Tunnel during rush hour so I would go in late or leave early. I would only ride the subway if I knew it was not going to be crowded. Every van I saw made me nervous. I was paranoid.... I think many people in New York City felt the same way. I know it is not rational, but people felt so badly for me that nobody really cared if I was late for work or if I left early.... I mostly thought about getting out of New York City and never going into work. That was the big one. That caused the anxiety. I spent every night thinking "tomorrow is the day."

Declaration of Alfred Milano, ¶¶4, 9, 10, 11.

138. Decedent Peter T. Milano is also survived by his brother, **Frank Milano**, a citizen of the United States and a resident of the State of New York. Frank Milano remembers:

[A]s soon as I was able to get into Manhattan, I went into the city to look for my brother. I had a list of hospitals and other places I needed to go.... I jumped on the Long Island Railroad to get into Penn Station. I was in the city by 7:00 or 7:30 that morning. When I came up out of Penn Station, I was by myself. Nobody was there. Nobody was in Manhattan. It was something that I will never forget, coming out of Penn Station and it was desolate. There was no traffic. It was just so quiet. I stood there a while. Everything was huge. It looked so big to me and I was asking myself, "Where do I start?" I thought I would just get into a cab and go from hospital to hospital. But there were no cabs, the city was completely dead. A couple of military trucks came rolling down the road. I started walking toward one of the hospitals.... I was overwhelmed by the task, it

felt impossible.... A day never goes by without me thinking of him. I have his picture on my desk. He was my best friend, we were very close. I would go up and visit him in college. We were less than 18 months apart in age. Growing up, his friends were my friends. I will never get over his death. I know I will not. I cannot go to the memorials. I can, but I get crazy. My whole day and even maybe part of the next day and even the anticipation of such an event makes me so incredibly sad. I visited the 9/11 sight [sic] but I have never been back.... [E]very year I say I am going to give a speech at the golf outing we hold every year in Peter's honor. I cannot do it. I write and rehearse but it is just impossible for me to do.... I would be crying in front of everybody.... [E]ven today, every time I see Patty, I cry. I have to walk away for a little while and be on my own. Then I go back and things are okay. Patty smiles at me and that is pretty much a little cue that everything is okay. Then I can have fun or at least be with everyone. The sadness has not gone away and it never will. I am alright with that. I do not care that I cry like that, it is just the way my life is right now.

Declaration of Frank Milano, ¶¶6, 16.

139. Decedent Peter T. Milano is also survived by his brother, **Thomas Milano**, a citizen of the United States and a resident of the State of New York. Thomas Milano describes his family's dynamic:

[W]hen Peter got married, he and Patty started hosting Christmas Eve. Everyone brought something. I would furnish cocktails. Others brought covered dishes and we all exchanged gifts at Peter and Patty's house with the whole family. They also had a pool so we would all be there during the summer. We enjoyed being together always and wherever. Once we are all in the same room we are the life of the party. I remember we went to a wedding once and one of my cousins thought it would be a god idea if she put us all at different tables. Halfway through the wedding, we were all at one table anyway I told my cousin months later that separating us was a stupid idea. She told me that she thought if she separated us it would make a better party because we would all be doing our own thing at different tables, spreading the party out, not having it centralized at one table. I told her that only works when we are together.... I know that as an adult this sound odd, but I always looked up to my brother, Peter, and I felt that it would be a really bad thing if I disappointed him or any of my brothers or for that matter, my sister.... After my parents died... we were all each other had.

Declaration of Thomas Milano, ¶¶15, 17.

140. Decedent Peter T. Milano is also survived by his sister, **Maureen Racioppi**, a citizen of the United States and a resident of the State of New York. Maureen Racioppi, testifies about the

effects of 9/11 in her Declaration:

Before 9/11, I had already experienced a lot of tragedy in my life. I had lost both my parents by the age of 17.... Because of the heartache in our lives, my brothers and I formed a bond unlike any other family I know. The five of us were extremely close and in such a way that we needed each other's support throughout our lives. When Peter was killed the link was broken, it was just too much tragedy for one family. There were too many broken hearts, a whole family was destroyed.... My immediate family was damaged beyond repair. My brothers and I just had too much. We are all "walking wounded." Our personalities changed, and our physical and mental health has been damaged severely. I suffer from depression. My fears are irrational. My marriage almost fell apart, and I believe with all my heart that because of the attacks on 9/11 we do not have a third child. My husband and I were at our happiest the days before 9/11. We were in our new home, working on our third child when the world came crashing down. It was years before I was mentally capable of considering having a child and by then it was too late for us. My husband worked down at Ground Zero from September 13, 2001 until he got sick in 2004. I add my husband to the list of victims of the terrorists. He suffers from pulmonary lung disease and post traumatic depression. He has not held a full time job in years, and financially we are drowning. Construction workers did not receive any of the compensation that police and fire fighters received. At present, my children and I are on Medicaid, and I am currently looking for a teaching position in an economy where no one is hiring.

Declaration of Maureen Racioppi, ¶¶5,13.

FAMILY OF JOSEPH D. MISTRULLI

141. **The Estate of Joseph D. Mistrulli** is represented by the estate's Personal Representative, his surviving spouse, Philomena Mistrulli. Joseph D. Mistrulli was a carpenter who was working on a job at the restaurant Windows on the World on the 106th Floor of the North Tower of the WTC. Generally, he worked nights and would have gone home after his shift by morning, but on September 11, 2001, Joseph Mistrulli was asked to stay in order to attend a meeting that morning. Joseph Mistrulli is survived by his wife and three children. In her Declaration, Philomena states:

I lost my husband and my best friend on 9/11/2001. Joe was a carpenter and he was working on a job at Windows of the World, which was a restaurant at the top of the Twin Tower. He did not usually work at the World Trade Center. He

worked all around New York City. His normal hours were eleven p.m. to seven a.m. On the evening of September 10, before Joe left for work, his employer, Island Acoustics, called and said there was a meeting he had to attend the next morning. The restaurant and the customers did not like the noise. If he had not had to go to that meeting, my husband would have been at home when the planes flew into the Tower.... My husband and I were to leave on the Friday after he was killed for our first vacation alone together in 23 years. We had always taken our kids with us everywhere. Joe kept telling me, "They are not kids anymore, they are adults; they are going to be fine." We had originally planned to leave on the Friday before 9/11, but Joe asked me to change the dates because he was the foreman on the job at Windows of the World and he needed to make sure everything was okay. When he was killed I did not know what to do with those tickets. I gave them to the Make A Wish Foundation....

Declaration of Philomena Mistrulli, ¶¶4, 5.

Category A -- Immediate Family Members

142. Decedent Joseph D. Mistrulli is survived by his wife, **Philomena Mistrulli**, a citizen of the United States and a resident of the State of New York. Philomena states in her Declaration:

As soon as they opened up New York City where people could go in, I was there. I went with my father, James Mandelino. People would take me into the city because I was sedated for quite awhile and they were afraid to let me go alone.... We went into the City almost every day for about a year.... Going into the City was really the only way that I could get information and it made me feel like I was with Joe.... The first place I went was to the Armory.... We had to wait in this really long line. I remember them showing me pictures of flesh with tattoos on it. It was disgusting.... I went to hospitals. They had postings outside the hospitals that you could check, and I did that. I walked the area surrounding the Twin Towers. I walked it with my dad and we handed out flyers and hung missing person posters. I gave interviews to reporters. I did everything I could to get Joe's name out there. I did not think my husband was dead for almost a year.... It is sad, but I did not even believe Joe was dead when the medical examiner came to my house. This was a year after 9/11.

Declaration of Philomena Mistrulli, ¶¶6, 7.

143. Decedent Joseph D. Mistrulli is survived by his daughter, **MaryAnn Mistrulli Rosser**, a citizen of the United States and a resident of the State of Nevada. She explains:

On September 11, 2001 I was in Tokyo, Japan. My husband was in the military, and we were based in Japan. We lived on the base in military housing. It was nighttime and my husband had just finished a ten hour shift and come home from

work. He started to take his vest off when the phone rang. He answered it and as soon as he hung up he put his vest back on. I asked him what happened and he said, "I can't tell you." Then he left again. Once he had left, he called me and told me to turn on the news, that the World Trade Center had been hit. At that time only one of them was hit. My husband had been called back to work because of the attack. I had just turned twenty-one a couple of days prior to the attack. My father in law worked for Morgan Stanley. My dad worked all over New York City, so I did not fear for my father initially. There was a slim to none probability of my dad being in one of the Towers. So I called around looking for my father-in-law but I could not get through to anyone. About an hour later, I got in touch with my mother and she told me, "you know your dad was in the building, not just your father in law."... During this time, I was also fearful for my husband. They basically shoved him in a shack in the middle of a field with a gun and just told him to stay there. So he sat out there alone and I had no way to communicate with him. He was allowed to leave his post for a moment when I told them the emergency news about my father. My husband was allowed to come home for about an hour, and then he went back on duty. Then, after another shift he was allowed another one hour break and he had to go back. He barely slept. This was not a normal time, no one knew what could happen and if there could be more attacks. I was scared and numb. I cried for days and I did not leave the house.... In August 2001, I had miscarried, and I was told I could not have any more kids. The day of my Dad's memorial service, I told my mom that I felt really sick. I felt like I was going to throw up. She told me it was just my nerves. I told her, "No. There is something wrong." The day of his memorial service I took a pregnancy test and found out I was pregnant. My son was born two months early.... My son weighed three pounds, twelve ounces when he was born, and even though he was so early, he did not even need a ventilator. He is named after my dad.

Declaration of MaryAnn Rosser, ¶¶4, 6.

144. Decedent Joseph D. Mistrulli is also survived by his son, **Joseph Mistrulli**, a citizen of the United States and a resident of the State of New York. In his Declaration, Joseph Mistrulli states:

Right after 9/11, I immersed myself in school work to try not to focus on what had happened. Unfortunately, my college degree is in finance and I really had no desire to work in Manhattan after 9/11. Even if I did not go to work in Manhattan, I knew I would have to deal with hearing people talk about Wall Street. So my whole attitude about my college education became just let me get this out of the way because I am not going to be using this. Since 9/11, I feel like everything in my life is just stuck. I can't move forward.... I have been diagnosed as having PTSD and I am on disability now. To this day I get palpitations going over bridges and going in tunnels. I more or less stayed out of

Manhattan for about a decade. I was always afraid. To this day I am afraid whenever somebody goes on a plane. I always have to talk to them before they get on a plane. I always tell them they have to call me when they land. I do not want to be certain places, certain times of the year.... The events of 9/11 have changed what I do because I am afraid. Who knows where I would be today if 9/11 had not happened and my father had not been murdered. Maybe I would be living in Manhattan working on Wall Street and making money and maybe I would have my own family. I do not know where I would have been. But losing my father was such a big life-changing thing that I cannot even explore what my life could have been if this had not happened. I think probably that is the most devastating and destructive part of it, because that should not have been something that should have been factored into my life. I should not have to ponder if I would be different without it. It should not have happened.

Declaration of Joseph Mistrulli, ¶¶11, 13, 21.

145. Decedent Joseph D. Mistrulli is also survived by his daughter, **Angela Mistrulli (Cantone)**, a citizen of the United States and a resident of the State of South Carolina. Angela Cantone explains in her Declaration:

I had just started my senior year of high school when my father was killed on 9/11. I dropped out of high school to try to compose myself and after about six months I enrolled in a night school. Very few people went there, mostly pregnant girls and people like that, who needed to get their GED. But I went there because it was easier for me to deal with things there.... Basically, I did not have a senior year of high school. I did not have a prom. My entire life, I had always played three sports: volleyball, softball and basketball. My dad was the one that had always supported me in athletics and when he died I just stopped. Because I did not play my senior year, I lost the chance for an athletic scholarship to college that had been offered to me.... I feel like my youth was taken away from me. My mom could not really take care of us anymore; she was lost for a long time. It forced me to grow up and do it on my own.... I worked during the day and I went to school at night. I tried to keep busy non-stop, so as to not have to feel anything.... I started out at Hofstra, but I left there because on the first anniversary of 9/11 my philosophy professor stated in class that the people in the towers were not heroes. He said they were just fat business men eating their donuts when a plane crashed through the building. He was unaware that I had lost my father in the tower.... I called my mom and said, "I can't do this. It is too soon for me to put my head to something like this right now." So I dropped out of college.... They gave out scholarships immediately after 9/11, but once you had used it, if you did not achieve what you needed to achieve, the scholarship was gone.... When I took the 9/11 scholarship, I was not emotionally prepared to be in college for four years and be all that I could have been before 9/11.

Declaration of Angela Misrulli Cantone, ¶6.

146. Decedent Joseph D. Mistrulli is also survived by his mother, **Ann Mistrulli**, a citizen of the U.S. and a citizen of the United States and a resident of the State of New York.
147. Decedent Joseph D. Mistrulli is also survived by his sister, **Maria Lambert**, a citizen of the U.S. and a citizen of the United States and a resident of the State of New York.
148. Decedent Joseph D. Mistrulli is also survived by his brother, **Johnny Mistrulli**, a citizen of the U.S. and a citizen of the United States and a resident of the State of New York.

Category C – Other Functional Equivalents of Immediate Family Members

149. Decedent Joseph D. Mistrulli is survived by his sister-in-law **Maryann Pino**.
150. Decedent Joseph D. Mistrulli is survived by his brother-in-law **Tony Pino**.
151. Decedent Joseph D. Mistrulli is survived by his nephew **Anthony Pino**.
152. Decedent Joseph D. Mistrulli is survived by his nephew **Mateo Pino**.
153. Decedent Joseph D. Mistrulli is survived by his sister-in-law **Jennie Mandelino**.
154. Decedent Joseph D. Mistrulli is survived by his brother-in-law **Michael Mandelino**.
155. Decedent Joseph D. Mistrulli is survived by his brother-in-law **James Mandelino**.
156. Decedent Joseph D. Mistrulli is survived by his father-in-law **James Mandelino, Sr.**

FAMILY OF YVETTE MORENO

Decedent Yvette Nichole Moreno worked on the 92nd Floor of the North Tower of the WTC. Although the Decedent's place of employment was the North Tower, she managed to escape the building after it was hit by the hijacked American Airlines Flight 11. After calling home, where she lived with her mother and brother, to let them know she was on her way home, she tragically perished on an overpass as a result of debris falling from the Towers or their collapse. Yvette Nichole Moreno's body was identified via dental records and a tattoo a few

days following what would have been her 25th birthday. The Estate of Yvette Nichole Moreno was a plaintiff in Havlish represented by the estate's Personal Representative, her mother, Ivey M. Moreno. Ivey M. Moreno also was an individual plaintiff in Havlish. 9/11 Decedent Yvette Nichole Moreno is also survived by her brother, Rolando Ruben Moreno, two half-siblings, Leiana Moreno and Noelia Moreno, and her stepmother, Karen Moreno, who are all residents of the State of New York, and are Plaintiffs in this case.

Category A -- Immediate Family Members

157. Decedent Yvette Nichole Moreno is survived by her brother, **Rolando Ruben Moreno**.

Rolando states in his Declaration:

Yvette did not show up and my mom and I wondered if she had been in a car accident. While we waited we watched the news, sat at home and waited for a phone call from her.... I believe I went searching for her on the 12th. I went everywhere. I searched everywhere. I went downtown and everything was closed down. I took the FDR. I got myself through the Triborough and off to the FDR down to about 34th street before I was kicked off, and then I went down to the World Trade Center. I went and searched for Yvette for days.... After 9/11, I had no desire to do anything.... I used to self medicate all of the time.... But I have a five year old son and I realize he needs me. I have not been a bad father. I have supported my children, but I have done things that I cannot even talk about and I have made a lot of wrong decisions.... I was angry at the world.... Growing up this way was not what I wanted for myself. I had goals and dreams. I gave up. I have just gotten it together, literally within the past two years, but other than that I have not worked since. Now I am trying to move forward. I want to be somebody my son can be proud of. But I have done nothing with myself for a decade.... The events of 9/11 killed me too in a sense.... I turned hard. I smoked and I drank, and I went out and I did bad things.... I have never been as happy as I was before 9/11; and I do not think that I will ever be truly happy again.

Declaration of Rolando Ruben Moreno, III, ¶¶4, 5, 10, 11.

158. Decedent Yvette Nichole Moreno is survived by her half-sister, **Leiana Moreno**. Leiana explains:

Yvette was about 10 years older than me. We have the same father, so we are half sisters. She was always there in my life. Yvette was always at my birthday

parties and special events like that. She always helped me blow out the candles on my cake. There was actually a point when she came and stayed with us for a little while.... Normally she would be with us every other weekend and sometimes during the week as I was growing up.... I do not go down to Ground Zero. Last year I went there because my name was picked in a drawing to read names on 9/11. Yvette's mother wanted me to enter the drawing and I agreed reluctantly but I was hoping that they would not pick my name. But I would never tell Ivy, "No." So when she asked me, I agreed. Then they picked me. So I went down to Ground Zero. Being there was weird. I cannot really explain how I felt seeing that. I really did not want to be there at all. That was the first, and I think maybe the last time I am going to go to Ground Zero. It was very hard for me. I actually left out somebody's name. I told Ivey, "I love you. I did it for you." But I could not do that again. On 9/11, I just stay home because I do not even want to go to work or anything like that. So, other than that one anniversary, I am normally home on that day. That is the one day I do not go anywhere.... There was constant media attention about the attacks, but I did not watch it. It was heart wrenching to know that my sister, who was only twenty-three years old, was down there. How long was she underneath that building before she was deceased? Was she trying to reach out for help? All of those questions and feelings go through my head when I start thinking about it.... I tried to detach myself. That is what I do to feel better about it.... After 9/11, my mother had to take me to school because I would not get on the train, and if she was not available to take me, I took the bus.... I do not like the idea of being indoors, or underground in the subway.... All types of things go through my head.

Declaration of Leiana Moreno ¶¶4, 7, 9.

159. Decedent Yvette Nichole Moreno is survived by her half-sister, **Noelia Moreno**. Noelia recalls:

I was a freshman in high school. That day they sent us all home. When I got home I turned on the TV. I saw the breaking news about the attacks.They showed the footage of the planes flying into the buildings. Naturally, I was very upset and kind of hysterical. My mom was a police officer....My mom was frantically looking for her [Yvette] while she was down there in the whole milieu. It was very terrifying. After they sent us home from school I did not speak to my mom until about four or five o'clock that afternoon. I was extremely frantic....I think school was back in session the following day after the attack. I did not go to school though. I stayed home because I was so worried and concerned about my mom and my sister, and I was just afraid to leave the house. I probably missed about a week or so of school at the time of the attack....When they found my sister and we had to do the funeral service and things like that, I was out of school for at least a week or a week and a half just to be with my family....They were not able to open the casket because it had been such a

long time since they were actually able to find her....It was hard not to see her, and just have to remember what she looked like. As I got older and entered the workforce, I would never take a job lower than 59th Street because I was afraid of the terrorist attacks. I never want to work in any high, closed off areas because I am so totally afraid. That has had a real affect on looking for jobs....I still live in the Bronx but I work in the city because it pays better in the city....It is kind of crazy because when I first got my job, I asked where the exits were and I always keep it in my mind that if, God forbid, there is another terrorist attack I can actually run home from there....I have a three year old at home. I want to be with my family. I do not want to die because of a terrorist attack. I definitely live my life in fear especially when I come to the city.

Declaration of Noelia Moreno, ¶¶4, 5, 6, 7.

Category B – Functional Equivalents of Immediate Family Members

160. Decedent Yvette Nichole Moreno is survived by her stepmother, **Karen Moreno**. Karen

Moreno states:

I was married to Yvette's father and first met her when she was approximately three years old. I was a part of Yvette's life for her whole life....We all lived in the Bronx within walking distance of where Yvette lived with her mother, Ivy, and her younger brother Roland, so we did not have to travel a long way to see each other.... I have two daughters by the same father as Yvette and Roland. So my daughters, Leiana and Noelia are their half siblings.... Yvette was about 10 years older than them. At the time of the attacks on 9/11 I was a police officer with the New York City Police Department....I worked as a Police Officer full time, I taught EMT classes on Saturdays, and I worked as a paramedic on Monday night, overnight. On Tuesday morning, September 11, I had completed my overnight as a medic, and I was getting ready to go home. We were at a hospital dropping off a patient and we noticed there were a lot of people in the emergency waiting room looking at the TV.... When we realized what was happening, we jumped in our ambulance and we drove down to Ground Zero and got there while both buildings were still standing.... I remembered that Yvette worked in one of the towers. I called to see if anyone had heard from her, but my calls would not go through. At some point I was told that Yvette had called her mom, Ivy and told her that a plane hit the building, and not to come in today. So, I was assuming that she was okay. The night of 9/11, when we brought our ambulances back to base I still had some hope of Yvette being alive. I was on duty from six p.m. on September 10 until six a.m. on September 11. The attack happened at nine a.m. on September 11. I did not get home until about ten, eleven p.m. the night of the 11th.... When the attacks happened on 9/11 I called my mom and said, "Hey, I'm okay, but I'm working down here." My mom told me that my daughters were okay and both of them had made it home from school. They did not know about

Yvette at that time. We just did not say anything at that time to my children. The magnitude of what had happened was really just devastating. Like all the other 9/11 rescuers, I had the credentials to be allowed into the site. So, I would go down there every day. I worked from four in the morning until four in the evening with the police department. I would get off my...shift and I would go to the site and I would look, and look, and look, and look, and look. Apparently what happened was Yvette got out of the building, but I do not know if she was hesitating or what. I mean, no one expected the building to come down. So I do not know if she got out of the building and she stood there looking in horror or disbelief and then the building started to crumble and she was hit.... I was there at the place where Yvette died. I cannot believe that is where they found her. Because I cannot tell you how many times I was there. I was right there when I was searching. Yvette was found right before her birthday in October. I had nightmares. I thought I heard Yvette calling. There were times that I was lost and I would think, 'Well, maybe she could be lost too.' I would get up out of bed and go down there.... I literally did not sleep for about six or seven days. The only job I kept after 9/11 is teaching emergency medical technicians and paramedics. This is entirely a result of 9/11 and what I went through. I teach about two blocks from Ground Zero. I work on the seventh floor and my windows are on the Hudson River. I watched the barges on the river right there taking the steel and debris away from Ground Zero. When you go there now they have the new memorial and the beautiful grounds where everybody walks around all nicey, nicey....When I look at it I still see the way it looked on 9/11 and right after. The images will never, ever leave me....

Declaration of Karen Moreno, ¶¶4-5, 7, 8, 10, 15.

Category C – Other Functional Equivalents of Immediate Family Members

161. Decedent Yvette Nichole Moreno was survived by her Grandfather, **Pedro Gerardino**. Pedro Gerardino died in August, 2015. A Suggestion of Death has been filed with this Court.
162. Decedent Yvette Nichole Moreno is survived by her Grandfather, **Jorge Gomez**. Jorge Gomez will file a motion for voluntary dismissal with this Court.

FAMILY OF LOUIS NACKE

163. The **Estate of Louis Nacke** is represented by its Personal Representative, Amy Martinez, who is his surviving spouse and a citizen of the United States and a resident of the Commonwealth of Pennsylvania. 9/11 Decedent Louis Nacke was on Flight 93 that crashed in Pennsylvania when the hijackers were thwarted by passengers on the plane. Amy Martinez states in her Declaration:

“We had gone out to dinner with my father on September 10 to celebrate Louis’ birthday. While we were at dinner, Louis got a call from KB Toys’ corporate office that they were having an issue with one of the warehouses in California and they needed him to fly out the next morning. He got up at four o’clock the next morning to catch his flight. Louis had traveled before and I had never gotten up with him, but for some reason on the morning of 9/11 I got up with him. I did not get any of the flight information because it was all so last minute. Louis told me that he would give me his flight information once he got there. That just added to the confusion of the day, because I knew he was going to California, I just did not know what flight he was on.... I kept trying to call Lou on his cell phone. I could not get a hold of him and he usually called me ten times a day. It was very odd for something to be going on and for him not to call me.... When I was inside watching TV they showed that Flight 93 had crashed in Pennsylvania and I became hysterical... I knew Louis would have called me if he could have, and I knew he was going to California.

Declaration of Amy Martinez, ¶¶6-7.

Category A -- Immediate Family Members

164. Decedent Louis Nacke is survived by his spouse, **Amy Martinez**, who states in her Declaration:

We were about to have our first anniversary when Louis was killed on 9/11/2001. There was a lot going on that September.... We were building a house, and we were to close on our new house on September 20. Louis’ 42nd birthday was September 9. I was 31 at the time. Louis had two sons from a previous marriage and his youngest son lived with us the entire time we were married. We were trying to get pregnant but had not been successful. I was working a sales job that was very stressful.... The doctor had suggested that I get out of sales because sometimes it is hard to get pregnant if one is under a lot of stress.... I went to work in a pre-school. It was less stressful than a sales job, but I took a huge pay cut we were willing to sacrifice the extra income because we really wanted to start a family.... Louis had gone to work for KB Toys, running a warehouse for them in New Jersey close to where we lived. I had started my new job at the preschool only a couple of days before September 11 happened. When I saw that Flight 93 had crashed, I got in my car and drove to my step-father and mother’s house.... My parents were like Lou’s parents. I am lucky that my family is very close and we all live in the same area. My step father and I were hysterical and a lot of what happened that day is a blur. I think I was in shock. I remember my two brothers and sister coming over and they have told me that when the airline called to confirm that Louis was on that flight that I screamed and threw the phone. I was very lucky that I had my family around. That really helped a lot. I stayed with my family for two weeks after 9/11. I was secluded with them. I was in shock for a while and in a bit of a panic wondering what I was going to do, financially. I was a newly-wed with a new job, and suddenly everything in my life had fallen apart.

Declaration of Amy Martinez, ¶¶5, 8 11.

FAMILY OF BRIAN NUNEZ

Decedent Brian Nunez was employed by eSpeed (Cantor Fitzgerald) on the 104th Floor of the North Tower of the WTC. The Estate of Brian Nunez was a plaintiff in Havlish, represented by the estate's Personal Representative, JoAnne Lovett, who is his mother, and who also has an individual claim in Havlish. Brian Nunez is also survived by two brothers Eric Nunez and Neal Green, his grandfather, Paul Scalogna, and his fiancée, Donna Corbett Moran.

Category A -- Immediate Family Members

165. Decedent Brian Nunez is survived by his brother **Eric Nunez**, a citizen of the United States and a resident of the State of New Jersey. In his Declaration, Eric Nunez explains how close he was to his younger brother, Brian, and his half-brother, Neal Green, who were all raised by a single mother:

My brother, Brian, and I were always very close. When we were younger everyone thought we were twins. Being only two years apart, we did everything together, and he was my best friend. We argued, of course, like all siblings do, but I made sure that no one ever "messed with" my brother. He was my younger brother and when he hurt, I hurt. When I started high school I became the man of the house. My mother used to work in the city and could not make it home until late. I made sure homework was done, rooms were clean and my mother had food on the table when she came home from work. I became more of a father figure. I helped Brian and Neal stay on the right path. I taught them values and responsibility just as my mother had taught me. I do not remember much about the days that followed [9/11]. My body seemed to have shut down. I did not want to get out of bed or take a shower. I went into a deep, profound depression. The only bright spot was the birth of my daughter.... On October 12, 2001, exactly one week after Brian's memorial service, Brianna Francis Nunez was born. Her initials were the same as Brian's - 'BFN'. Unfortunately, my joy at the birth of my daughter was short-lived. Soon, I began to retreat even deeper into depression.... I felt battered and broken. I just did not care about anything anymore. Not only did I lose my brother on that tragic day, I lost who I was. The happy, loving, caring, easy-going Eric was gone and replacing him was a person I did not recognize anymore. I felt so bad for my wife, it was like I was on the outside looking in. Kind of like watching a movie, as much as I tried I could not

change it.... When I think about what I have done to her, done to my family it makes me sick.... Before 9/11, I was the Associate Director of Investment Advisory Services at Josephthal & Company. The stock market was closed the week after the attacks and my company lost tens of millions of dollars, falling below the SEC requirement. When we reopened on Monday, the SEC in essence gave Josephthal to another brokerage company. That was the beginning of the end. In December 2001, I lost my job and my six-figure salary. All of the other executives and management lost their jobs as well. My wife was supporting us, we were now living off one paycheck. I knew I had to get a job, but I could not bring myself to go back to the City. I would get physically ill just thinking about it.... The burning smell, the people screaming, and debris falling kept playing itself like a movie over and over again in my mind. Suddenly, I found myself being scared of planes, crowded places, and loud noises.... I was afraid to go out.... I lost interest in everything, even in my children.... The pain just would not go away.... I went on a path of self-destruction. I drank and used drugs to numb the pain. I had thought of ending my life and I planned how I would do it.... It took me seven long years to return to the City, and still it is very hard. I wish I did not have to go back. I feel uncomfortable in the City and have a pain in my stomach that will not go away.” Declaration of Eric Nunez, Other people always say, “Live your life. Do not let the terrorist win. Life goes on. Do not show them that they have won.” Well, guess what? For us, the people who lost someone on that day, for us, the terrorists did win. They won once and for all. They won because we are the ones suffering, not them. We are the ones going through life every day in pain, missing our loved ones. My life as I knew it ended that day.

Declaration of Eric Nunez, ¶¶6, 20, 21, 22, 26.

166. Decedent Brian Nunez is also survived by his brother, **Neal Green**, a citizen of the United States and a resident of the State of New York. Neal explains his close relationship with his older brothers, Brian and Eric:

My mother was raising my brothers alone when she met my father, Daniel Green. When I was born, Eric was seven, and Brian was five. But, since around the time I turned four we were inseparable. I always felt like my brothers were there for me, protecting me. Unfortunately, not long after my birth, my mother had to leave my father. She raised the three of us all by herself. We grew up just the four of us, our mother, Eric, Brian, and me. We were very dependent on each other because our mother worked in the City, and Eric was often left in charge. From late 1998 until March of 2000, I lived with my brother Eric. Even though Eric was a newly-wed and had just bought a house and was starting a family, he found room for our grandfather and for me. I lived with Eric while Brian and I were trying to save enough money for an apartment together. At the time, I worked for Delta Airlines and Brian had recently started a job working for Cantor Fitzgerald on the 103rd

floor of the World Trade Center. Eric's wife, Kim, became pregnant and my room was needed for the baby. Brian and I finally pulled our resources together and got an apartment. Brian and I shared the expenses; he would cook dinner and I would wash the dishes. When Brian and I moved in together our bond grew stronger. Now, I was more than just a younger brother. Now we were friends. Even though I was already 23 years old, Brian took his job as my older brother seriously. He took care of me and watched over me every day. He always made sure that I was becoming a good, honest person and that I was not straying from a proper, moral life. As roommates, Brian and I had certain routines that we always followed. We always ate dinner together. He would cook, and I would do the dishes. Then we would talk to each other to catch up with what was going on. Neal explains in his Declaration that he had worked late on the night of September 10, so he ignored his cell phone ringing several times on the morning of September 11. Brian had awakened him up from sleeping on the couch very early that morning and made him go to his bed to sleep and that was the last time he had seen him. He states, "When I answered the phone I heard my mother's hysterical voice telling me to turn on the television and asking me what on earth was going on. I turned on the news just in time to see an airplane crash into the second World Trade Center Tower, and that was when I realized that the first World Trade Center Tower was on fire as well. By that time, I had worked in the airline industry for four years. I knew that these were no small planes. After a few horrible hours of anguish, I finally felt a sense of relief when my cell phone beeped with a message and I heard Brian's voice. We all knew that Brian worked in the World Trade Center Tower One, and we knew that he worked for Cantor Fitzgerald on the 103rd floor. I was hoping that he might not have been at the office, or that perhaps, he had not even made it into Manhattan that morning. Despite the fact that even though his office was located above the impact zone, I was hoping he made it out alive.... I dialed my voicemail hoping it would be Brian, and sure enough, it was his voice! When I heard, "Neal, its Brian," in the voice message, I felt such a sense of relief! Then, it all came crashing down as the message continued. Brian's voice said, "A plane hit the World Trade Center and I am in it." Until now, we had no idea whether Brian had even made it into Manhattan. Brian continued to say that "everything is on fire, tell everyone that I love them if I don't make it out of here." And then he said a choked up "Goodbye." After hearing the message, I just collapsed; I tried to hold in my tears for my mother's sake. I had to tell her about the message. We had to face the worst – Brian was gone.

Declaration of Neal Green, ¶¶4, 8 11, 13.

Category B – Functional Equivalents of Immediate Family Members

Due to their difficult childhood, Decedent Brian Nunez and his brothers were very close and remained close as young adults. The circumstances of their childhood with a mother often

struggling to provide for her sons explains why her father, their maternal grandfather, should be regarded as the functional equivalent of their father in this case. Brian Nunez's brothers had no other father figure in their life, and their grandfather, Paul Scalogna, functioned as part of their nuclear family.

167. Decedent Brian Nunez was survived by his grandfather, **Paul Scalogna**, now deceased. Joanne Lovett is the Personal Representative of the Estate of her father Paul Scalogna, and she explains in her Declaration submitted on his behalf:

Brian's biological father was only minimally involved in Brian's life. Brian had lived with his grandfather both as an infant and for 3 years in his late teens and early twenties. They always maintained a close relationship with each other throughout their lives, whether it was trips to the butcher shop as a kid, the constant telephone calls, watching baseball together, or passing down family tradition. One of the most important family traditions was Italian sausage made from scratch that was presented to the entire extended family at midnight on Christmas Eve after celebrating the Feast of the Seven Fishes. When Brian moved in with my father, he taught Brian how to make the sausage. He would spread the chopped pork in a very large pan and add all the spices. I don't know which was harder – mixing the ingredients or putting it in the casing. Though my aunt had gotten my father a meat grinder with a sausage attachment, he preferred doing it the old fashioned way. Brian loved helping to make the sausage and bragged how he knew the secret recipe. Brian was to carry on this tradition, passed onto him by his loving grandfather. Unfortunately, this tradition died along with my father and son. It is evidence of their close bond.

Declaration of JoAnne Lovett on Behalf of Paul Scalogna, ¶¶4, 12-13, 16.

Paul Scalogna's other grandson, Eric Nunez, also speaks of the bond between his brother Brian and his grandfather in his Declaration:

... [O]ur grandfather lived with me. One day grandpa was not feeling so well. I was on the phone with Brian and told him that I was going to have to take grandpa to the hospital. Brian told me to wait for him because he wanted to come with me. We stayed by our grandfather's side until he finally got a room at 4:00 a.m. Our grandfather recovered that time, but, in the end, Brian's death killed him. Brian's murder was too much for our grandfather to bear, and he was never the same after 9/11. He lost his will to live, and died of a broken heart on November 24, 2001.

Declaration of Eric Nunez, ¶15.

168. Brian Nunez is survived by his fiancée, **Donna Corbett Moran**.

I had no idea that I would never see him again; never see the man that held my hand, the man that shared my dreams and thoughts, the man that I thought was too good to be true, my future husband. But that was the case; I never saw him again, I never got to say good bye, I never got to say thank you for loving me. Brian and I met in college. We were in an English class together and we did not even finish the semester without starting to see each other. We instantly started spending all our free time with each other. We would go to movies, have dinners, we became part of each other's everyday lives. When Brian moved in his own apartment, he was living with his little brother. Brian and I could not get a place of our own because he wanted to help his brother financially. But of course, I was always there. I spent most nights there. I would shower and leave to go to work from the apartment. We both shared in the food expenses and we would take turns cooking dinners for one and other. Financially we shared in the expenses of everyday life. We were a couple so we took turns with picking up the tab for different expenses. When people now say, "how does 9/11 still affect you so strongly?" My response is; we had a funeral for Brian, we had a coffin with nothing in it, so we put pictures around the room to remember his beautiful soul. Roughly 3 weeks later, a part of Brian's femur was found and we had another funeral. We had to relive the process of his murder on two separate occasions. We are reminded of this terrible day every year by the media, replaying his death, so visibly and graphic. For anyone that lost a love one, can you imagine to be forced to sit and watch how your loved one was murdered, every year, over and over again? It's living hell! My life will never be the same. I had beautiful memories of Brian. We were one person. Now I have to admit, I cannot remember a lot of those memories because I had to suppress everything. What I see in my nightmares is people jumping from the towers, thinking it was better than being burned to death. I see the building collapsing, knowing my man was inside of it.

Declaration of Donna Corbett Moran, ¶¶5, 6, 10, 11.

FAMILY OF PHILIP OGNIBENE

Decedent Philip Ognibene was employed by KBW on the 89th Floor of the South Tower of the WTC. The Estate of Philip Ognibene was a plaintiff in Havlish, represented by its Personal Representative, his father, Vincent A. Ognibene. Vincent A. Ognibene also was a plaintiff with an individual claim in Havlish. Philip's step mother, Diane Ognibene, is a plaintiff in this case.

Category B – Functional Equivalents of Immediate Family Members

169. Decedent Philip Ognibini is survived by his stepmother, **Diane Ognibene**, who is a citizen of the United States and a resident of the State of Delaware. She explains in her Declaration that she married Vincent Ognibene, Philip's father in 1981, when Philip was 18 years old. She had no children of her own and became very close to her stepchildren. Philip moved in with Diane and his father when he was 18 and lived with them for about ten years. Diane states:

Being a step mother is difficult, but I never felt like an outsider around Philip. We enjoyed lengthy conversations. I believe Philip felt that he could confide in me things that he could not confide in anyone else. [On 9/11] I called Vincent and was on the phone with him when a co-worker told me that there was smoke coming from the First World Trade Center Tower. At that time I worked in Jersey City and I had a clear view of both Trade Center Towers from across the river. I told Vincent about the smoke. At that time, he was working part-time. His office was on Barclays Street which is right next to the WTC. Fortunately he was off work that Tuesday.... told Vincent that I would call Philip at work to check on him.... His Tower had not yet been hit when I called him.... He was shaken up and told me that the authorities had told everyone in his Tower to stay inside, not to leave.... Philip's office was located above the spot of the impact.... His employer KBW, lost one-third of the people in their office on September 11th. After the attacks on September 11th, 2001 we had no communication with Philip. We had a terrible feeling that we would never hear from him again. I stayed at work that entire day and called every hospital in the City....My heart was heavy because I had actually seen the second plane crash into Tower Two from my window at work. After September 11th, the media's coverage of those events was non-stop. Vincent and I could not shield ourselves from those images and reminders. Because of this, we moved to Delaware. My employer needed to lay-off people at work. I requested a lay-off so that we could move. The move was bittersweet and both Vincent and I felt guilty for doing it. However, it allowed us to leave behind the constant coverage of Philip's death and allowed us to remember him as we wanted to.

Declaration of Diane Ognibene, ¶¶4, 5, 6, 10.

FAMILY OF SALVATORE T. PAPASSO

Decedent Salvatore T. Papasso was 34 years of age and employed by the New York State Department of Tax and Finance on the 86th Floor of the South Tower in the WTC. The Estate of Salvatore T. Papasso was a plaintiff, represented by the Personal Representative, Christine

Papasso, his surviving spouse, in Havlish. Christine Papasso also had an individual claim in Havlish. Decedent Salvatore T. Papasso is also survived by his mother and father, a brother, a niece, and two nephews, all of whom are residents of the State of New York and are Plaintiffs in this case.

Category A -- Immediate Family Members

170. Decedent Salvatore T. Papasso is survived by his father, **Salvatore Papasso**. In his Declaration, his father states:

Sal worked in the Twin Towers. He was a special investigator for Governor Pataki. He was not supposed to be at the office that day, but Sal and his partner went by to drop off some evidence. On the morning of 9/11, Sal called us and told us that he was alright. My wife told him to get out of the building and play it safe.... Of course, at the time, we did not know that Sal had gone back into the building. We all thought he was out and kept waiting for him to call. We both [his parents] think of him every day. We go to the cemetery every day. People tell us that it is not healthy, but this is what she wants to do and we both go. She wants to talk to him every day and she does. I do not try to stop her. We stay there for a few hours and then come back home. Our main activity is going to the cemetery. We meet people who say, "Why do you do that? It is not good for you." But I think it helps my wife and me to go there every day.

Declaration of Salvatore Papasso, ¶¶5, 6.

171. Decedent Salvatore T. Papasso is also survived by his mother, **Theresa Papasso**. Theresa Papasso states in her Declaration:

...[W]hen I saw what was happening, when I realized this was not a joke, I immediately tried calling my Sal. He usually called me every morning about a quarter after nine. But on that day he did not call. I could not get through to him, but then, finally, he called. He said, "Don't worry, Ma. I'm safe. Some small aircraft hit the North Tower. There is confusion going on. But I am safe." I said to him, "Salvatore, get out of the building. Once everything is ok you can go back in. But don't stay there. Please, get out of the building." I could hear Port Authority in the background telling people to stay where they are.... He said, "Ma, don't worry. Everything is fine." And that was it. That was the last time I ever spoke to my son. He just said, "Ma, I love you." That was it. I miss him so terribly. There is not a day, a minute, a second in a day that I do not have Sal on my mind. It should never happen that a child should die before the parent. A parent should die first and then the child. To this day, we spend every afternoon at

the cemetery. We never miss a day. We go in the snow, in the rain, during storms and blizzards. If it is too cold, we just stay in the car for an hour or so and then go straight home. It is not easy to lose a child.

Declaration of Theresa Papasso, ¶¶5, 6.

172. Decedent Salvatore T. Papasso is also survived by his brother, **Vincent Papasso**. In his

Declaration, Vincent Papasso explains:

As a result of the stress, I lost over thirty pounds. I went from weighing 151 pounds to weighing around 118 to 119.... I was barely eating. I barely slept. There was a lot on my mind. I had graduated from law school in the spring of 2001. I took the Bar exam that summer, but I did not pass it and that added to the stress of everything else going on. I was trying as hard as I could to study for the upcoming exam. That was a useless proposition; I might as well have not shown up. It is not uncommon to fail the Bar exam on the first attempt, but I never thought I would become defeated like I did after 9/11. After my brother's death, I was unable to study because of all the responsibilities which had suddenly fallen on me. I had to take care of my parents who were grieving and needing somebody to lean on. I had to make sure they ate and left the house every once in a while. I also had my little son and my disabled wife to take care of. But most importantly, I had to go out and make a living in order to support not only my family, but also help out my parents once Sal was gone and unable to help them.... As a result, I have never been able to work as an attorney.

Declaration of Vincent Papasso, ¶¶10, 11.

Category C – Other Functional Equivalents of Immediate Family Members

173. Decedent Salvatore T. Papasso is also survived by his nephew, **Vincent Papasso, Jr., a minor**.

Vincent Papasso, Jr.'s mother, Bernadette Papasso, provides a Declaration on his behalf:

In order to understand the impact of Salvatore Papasso's death on my son, I must give a bit of background information. I am disabled. I have a disease called Neurofibromatosis. This illness causes external and internal tumors to grow all over my body. My son, Vincent, Jr. was born in 1995. After he was born I got sicker....I ended up in the hospital three or four times a month. At the time, my husband was going to law school on Long Island. There was nobody to take care of my son, Vincent. That is why Vincent's grandparents ... took care of my son. This was also at a time when, Sal, my husband's brother, still lived with his parents. Sal naturally assumed the role of a surrogate father to his godson and nephew, Vincent, Jr. I kept getting sicker and sicker until I ended up in a coma in 2000. I was in the hospital for over two months. All these times, every time I was sick and was not at home, Vincent lived with my in-laws and my brother in law.

Vincent's Uncle Sal would take care of him as if he were his father. Vincent was a little kid and, at the time, he needed somebody who would be more like a parent than a grandparent figure. He had that in Uncle Sal, who, luckily, still lived at home with his parents. Sal would jump on the bed, watch cartoon, play on the floor and fall asleep with Vincent. After Uncle Sal died, Vincent became a totally different kid. He became sullen and withdrawn. He would not get his schoolwork done. He was having problems in school and started wetting his pants.... He was in therapy for about a year and did show some improvement.... But, he was never the same kid. It was as if in one day he went from being five to being forty. He worries about everything. He worries if we have enough money. He worries about whether I am going to die. He worries that there is going to be a fire and that the house will burn down. He is constantly afraid and constantly thinks something is going to happen. We lived right near the Newark Airport, and for months afterwards, when a plane would fly overhead, he would get hysterical. At times I thought Vincent was suicidal because he talked about not wanting to be here anymore and wanting to go "see" Uncle Sal. As Vincent got older and learned to use the computer, he started looking up things related to 9/11, and he would get angry. He is at a highly impressionable age, and he can find all kinds of morbid things on the internet. Vincent is angry about his godfather's death because he does not know who to blame. He was five when I took him to therapy, but now he refuses to go. It is hard to force a sixteen year-old to do what he does not want to do. He also went to a school where they named the gym after his uncle.... He had to see that every day for the next eight years. It was hard for him, like ripping a scab off every morning.... His grandparents ... are not the same people they used to be. They are scarred and totally changed. They do not decorate their house for Christmas anymore; instead, they decorate the cemetery for the holidays. I am sure that this preoccupation with Sal's grave and avoidance of celebrating the holidays has had an impact on Vincent growing up. It makes him very upset.

Declaration of Bernadette Papasso on behalf of Vincent Papasso, Jr., a minor, ¶¶4, 7, 8, 9, 10.

174. Decedent Salvatore T. Papasso is also survived by his nephew, **Brendan Cofresi, a minor**.

Karen Cofresi gives a Declaration on behalf of her minor children, Brittney Cofresi and Brendan Cofresi.

My twins, Brittney and Brendan Cofresi were born on February 12, 1999. Their godfather Salvatore Papasso was married to my sister. I am, and always have been, a single mom. Because of this, Salvatore and my sister, Chris were very close to Brendan and Brittney. They took care of them a lot, both financially and physically. When I had to work, my children would be there with them. If I needed help with anything or purchasing anything they would help out and take care of the children for me.

Declaration of Karen Cofresi, ¶4; see also ¶175, *infra*.

175. Decedent Salvatore T. Papasso is also survived by his niece, **Brittney Cofresi**.

Twins are expensive, and their father was not around at all. I always needed money and Salvatore and Chris would help me out with food or clothes for the children.... I never wanted to do that and they were always willing to help the children because we were family. Sal would pay my rent ... when I could not pay it. When Sal and Chris went shopping for food they would buy us food also.... Salvatore and Chris were Santa Claus for my children. Without them there would not have been any toys at Christmas. They were the Easter Bunny. It was as if Brittney and Brendan were their kids. Sal was their uncle and godfather, but basically he acted as a father would have for my children.

Declaration of Karen Cofresi on behalf of her minor children, Brittney Cofresi and Brendan Cofresi, ¶11; see also ¶174, *supra*.

FAMILY OF JOHN PERRY

Decedent John Perry was 38 years of age and employed by the New York City Police Department on September 11, 2001. The Estate of John Perry and his mother, Patricia Perry were plaintiffs in Havlish. 9/11 Decedent John Perry is also survived by his father, James Perry, two siblings, Joel Perry and Janice Perry Montoya, and a nephew, James Montoya, who are Plaintiffs in this case.

Category A -- Immediate Family Members

176. Decedent John Perry is survived by his father, **James Perry** a citizen of the United States and a resident of the State of Missouri. In his Declaration, James Perry explains the diverse interests of his son, John, and how he had gone from graduating from NYU Law School to being a NYC police officer and an actor doing many small parts in numerous TV shows and movies.

September 11, 2001 was the date John selected as the turning point in his professional life. He was offered a position with Bruce Clark's medical malpractice firm at the Woolworth Building. He completed three weeks of evening classes on malpractice law in late August. He hoped to discuss medical matters with me and perhaps prepare me to be a medical witness. He also believed that his language skills would be useful. We learned that sometime after 6:00 a.m.

he went to the campaign office on West 72nd Street, which was already open for volunteers to help on Primary Election Day. He assured his friends that he would be back later to help get out the vote. He took the subway to One Police Plaza and said his 'goodbyes' to colleagues from his years in that building as he shared his plans to officially retire that morning. He went to the Personnel Department, filled out paperwork and handed over his badge, #3266. At that moment the explosion of the first plane into Tower One of the World Trade Center shook the building. Soon intercom loudspeakers blared that police were needed to assist. John asked the clerk at the counter to hand him his badge saying that he would come back later and finish. He hurried to the uniform store on the main floor and quickly charged a \$35.00 polo shirt with NYPD insignia. He had his gun, badge, ID card and now the shirt to get through security.... John continued his run to the World Trade Center and arrived simultaneously with Captain Timothy Pearson, a Brooklyn Precinct Commander and friend, who had previously worked at headquarters. Together, they entered the lower level beneath the tower complex and joined other officers in assisting employees exiting from stairways and elevators. The task of the officers was to direct frightened, exhausted workers to keep moving out of the area through the underground walkways and not to stop and rest or attempt to go outside.... Captain Pearson said there was an eruption of wind and debris that blew horizontally and obliterated any vision. He told me that the noise was overwhelming and the smoke choked and blinded. He said that after the initial explosion the area was left in darkness with layers of debris. Captain Pearson made out a faint beam of light and led a group of survivors to safety.

Declaration of James Perry, ¶10.

By the next day, no one in the family had heard from John, so James Perry's other son Joel went with a neighbor to John's apartment in the City and found

NYPD officers attempting to break into John's apartment. A locksmith was called but when the door was opened there was no one inside, all we found was John's kitten. Joel went to NYPD headquarters, One Police Plaza, and saw his brother's name added to the list of known missing officers. When I learned that, I knew I could not go back to work, nor could I drive to my home in Seaford. The next day, my wife took the Metro North Railroad to Poughkeepsie and drove us home. I had already been diagnosed with Parkinson's disease and had tremors in both hands but I had been able to drive and continue working.... The stress of losing John caused me to increase the nervous hand shaking and even impaired my walking. I was not able to return to full time work until January 2002 and even then my abilities were diminished. We do not know the extent of "pain and suffering" that John experienced that morning. From Captain Pearson we learned that both men did not consider they were in danger until minutes before the collapse of Tower Two. At that time they were both fearful and determined to get out from under the building. John's body was found on March 6, 2002, in the area where Captain Pearson said it would be, and his helmet was damaged.... I have

not dwelt on the manner of his death but prefer to believe it was quick. In reality I had two sons and a daughter who were victims of 9/11. I am so pained that our son, Joel, was so affected by John's death that ... he resigned from his job with the law firm and drifted for the next six years as he struggled with substance abuse.... Our daughter finished law school, but she has never practiced law. It is too painful for her. The rest of our family and friends also suffered. And our experience is magnified thousands of times for all the victims of 9/11.

Declaration of James Perry, ¶¶12, 14, 18.

177. Decedent John Perry is survived by his brother, **Joel Perry** who is a citizen of the United States and a resident of the State of New York. In the aftermath of the attacks, Joel Perry recalls:

A couple of days later, we went to the city and met President George W. Bush, Mayor Rudy Giuliani, NYPD Commissioner Bernard Kerik, and Governor George Pataki. I think that was the first time I had ever seen my father break down and cry. He cried and told the Governor that his son was missing. I remember Commissioner Kerik said to me, you have to be strong for your mom and dad, which of course I was not. I was not helpful, I was not strong. I do not know if I was in a state of depression or denial. I do not know what label you could put on it. I began to self-medicate with drugs and alcohol to escape and that caused many problems. By June of 2002 I had quit my job because my habit had gotten out of hand. It took me seven long, dark years to realize that I had severe problems. It was not until July 4, 2008 that I was able to stop using and get into a recovery program. John's body was recovered six months later, on March 6, 2002. I wondered how my brother died. Did he suffer? Was he still alive after the collapse? I am not exactly sure what the medical examiner's report said, I only know that blunt trauma was the cause of death. At the funeral home, the funeral director told me it was not a good idea to view John's body because it was mummified. The director said that if I viewed the body that it would be ingrained in my brain for the rest of my life, and I would never be able to get that image out of my head. I took the funeral director's word and I did not view the body. He was cremated March 9, 2002. After 9/11, my work suffered greatly. My ability to function had been greatly impaired. I did not realize it until now, but I was in that self-pity mode, asking why did this have to happen. I felt that it should have happened to me; I was the bad son. John was the responsible son and I had been partying and stuff like that and he was trying to make the world a better, safer place. He had goals and plans. He was the one in our family that got us moving.

Declaration of Joel Perry, ¶¶17, 20, 21.

178. Decedent John Perry is survived by his sister, **Janice Perry Montoya**, who is a citizen of the United States and a resident of the State of Colorado. Janice Montoya explains her brother:

John always had a plan! John told me to get my Bachelors of Science in Nursing so that when we created our law firm I would be more credible when we took on medical malpractice cases. I continued and graduated with a Bachelors of Science in Nursing. At that point, he encouraged me to keep going. He told me that one day we, John, Joel, and I, were going to have our own law firm, 'We'll be Perry, Perry & Montoya.' He reminded me that the University of New Mexico had a law school.... He then encouraged me to apply.... I graduated with my bachelor's in nursing and then, couple months later, started law school. John also encouraged Joel to go to law school.... Joel graduated from law school in the mid 1990s. John always encouraged and brought out the best in people, not only in me, but in everyone. The media attention made it much harder to have any kind of closure. Being a widow after losing my husband in 1993, I have something to compare it to. When my husband died, of course, I thought about my husband day in and day out. However, I did not have my loss constantly reinforced by the news and the media. So it was a more "normal" process of losing someone you love. The people who lost family in 9/11 not only suffered through the murder of a loved one, but they have had to endure losing them over and over and over again just by the footage of the planes hitting the towers, over and over, almost daily....I am still upset years later. Depressed parents do not make good parents. My son certainly had to endure my depression, as he did when he was a baby. He was a year and a half when his dad died. He came to me and my mom first thing in the morning after he woke up and, as a baby, he said, "Where is daddy?" After my husband died, John became a father-figure to my son. John helped my sons cope with the death of their father and, in many ways, replaced their father. When John was murdered, it was as if my children lost their father all over again. John's death certainly negatively affected my law school. I graduated from law school, and I am a licensed attorney both in Colorado and in New Mexico, but I scrape by My first year semester was horrendous. I do not know how I passed. As a result of 9/11, I do not practice law. John had been murdered, and Joel was too depressed to form a law practice with me. I finished law school, but our whole plan died when John was killed, I was unable to move forward and practice. I work at a restaurant now. My mother constantly wants to know when I am going to practice law. I do not think she understands that, since our dream was killed, I cannot practice law. My whole plan was to practice with John, because he was the plan's mastermind and motivator. I finished law school only because I did not want to ... be a quitter. Once I graduated Joel had fallen apart.... I was not strong enough to go out and pick up where John had left off.

Declaration of Janice Perry Montoya, ¶¶6, 12, 15.

Category C – Other Functional Equivalents of Immediate Family Members

179. Decedent John Perry is survived by his nephew, **James Montoya**, who is a citizen of the United States and a resident of the State of Colorado.

I was very special to Uncle John, and he was very special to me. He did not have any children of his own, and my father died when I was still a toddler, so I never really knew him. Since my father was gone, Uncle John became a very important male figure in my life. Uncle John visited me regularly, and we spoke on the phone at least several times a week. He would come to New Mexico about once a year and would stay a week and a half to two weeks each visit. Of course, we would also visit Uncle John in New York at least once a year. With him it was always fun and always something new.... I always trusted Uncle John to keep me safe and to have my best interest in mind. I was ten years old on 9/11.... Losing Uncle John was far more difficult and more horrible than losing my father.... The beginning of my mental health problems can be traced back to Uncle John's death. I was never the same after that, and I have not been emotionally stable since. Prior to 9/11, I was a normal kid. Then, Uncle John was murdered and my downward spiral began.... After 9/11, I developed anxiety and depression. I went to a doctor and he told me that I have to learn to let go of the past. He said that life goes on no matter what, that I have to keep my focus on the future. However, these words did not help and my condition got worse. I was eventually diagnosed with Bipolar Disorder.... I was put on medication and I am still on a very high dosage of medication. In 2010, while I was in college, I had a mental breakdown and had to be admitted to a locked psychiatric unit in a hospital.... Now I have recovered enough to be in Job Corp, a vocational training program that offers education and a career path for young adults. My mother sent me here to help me become a more functioning adult.

Declaration of James Montoya, ¶¶4, 5, 6.

FAMILY OF MARSHA DIANAH RATCHFORD

Decedent Marsha Dianah Ratchford was a member of the United States Navy killed as a result of the terrorist attack on the Pentagon on September 11, 2001. The Estate of Marsha Dianah Ratchford as well as the individual claims of her husband, Rodney Ratchford, and their three children were represented in Havlish. Decedent Marsha Dianah Ratchford is also survived by her mother, five siblings, and two half-siblings, all of whom are Plaintiffs in this case.

Category A -- Immediate Family Members

180. Decedent Marsha Dianah Ratchford is survived by her mother, **Claudia Stallworth**, a citizen of the United States and a resident of the State of Alabama. Claudia Stallworth talks about her close family in her Declaration:

I had six children with Marsha's father. We lived in Detroit, Michigan when the children were young. I was used to my husband bringing in good money.... He gave me everything but love. He was a terrible father and husband.... I finally moved back to Mobile, Alabama in 1971.... After I moved back to Alabama, Marsha would go to work with me in the 1970s helping me clean houses.... When Marsha was 19 she met a friend at a party and he talked her into going into the Navy.... He convinced her that she could get a good education in the Navy. She told me that she was doing it for her family.... Marsha met Rodney while she was in the Navy and they got married. I worked five days a week for a good woman for 13 years... She was an elderly lady.... As usual, on the day that the Pentagon was attacked, I was at work that morning fixing her breakfast There was some commotion on the TV.... I said, "What's the matter Ms. Mathews? That's just a movie." She said, "No, something has done happened in New York." About 30 minutes later there was a knock on the front door ... it was my daughter, Cynthia. She said, "Momma, do you know Marsha is in the Pentagon and a plane just hit the Pentagon." She had tears in her eyes.... I said, "Oh no, she told me she worked at the concession stand, she don't work inside that building." My daughter and I got in her car and I left. We went home to my house we sat there and we waited and we waited. Finally, I looked at my girls and I said, "Your sister is holding me tight around my waist, she's gone. There ain't nothing we can do but just get ready and go." We left, just the way we were. We just threw one or two things in a bag.... We drove all night and I was miserable with these bad legs and feet and blood pressure problems, but I still made it. We got there the next day about one or two o'clock in the afternoon.... When we were at Marsha's house I would not come down from up stairs.... I did not want to talk to anybody or do anything.... I felt her spirit in that particular little room. My daughters would come and sit beside me and hold my hand. If Marsha was still in the Navy they would still have a fine person. She died for her country and her job. I said, "Marsha, you need to come on home and be a mail lady or a bus driver." She said, "No Momma, I am doing what I love to do. I am serving my country." God bless the United States of America.

Declaration of Claudia Stallworth, ¶¶4, 5, 6, 14.

181. Decedent Marsha Dianah Ratchford is also survived by her brother, **Reginald Simpson**, who is a citizen of the United States and a resident of the State of Alabama. Reginald Simpson is the oldest of his mother's six children. He explains,:

My name is Simpson, because my parents weren't married when I was born, but we all have the same father, so I am a Stallworth like Marsha and my other siblings. My mom and dad broke up when I was 9 years old and my mom moved back to Mobile, where she was born and raised.... All of us worked when we could to help out at home. We all hung out together because we didn't have any money to do anything extra, but we loved each other very much. When I hear

anything about 9/11 I try to get away because of all the bad memories I have good memories of my sister too, but I miss her so much I do not like to talk about it. It is so painful to even think about her. I worry that she suffered. I worry about her children. I worry about the future of my family without her. The way she died often makes it hard for me to remember even the good times we shared and the fond memories. I wish my sister was here.

Declaration of Reginald Simpson, ¶¶7, 9.

182. Decedent Marsha Dianah Ratchford is also survived by her brother, **Roosevelt Stallworth**, who is a citizen of the United States and a resident of State of Michigan. He recalls in his

Declaration:

When our mother moved us back to Alabama, all six of us slept in one room. We didn't have much but we shared everything; clothing, beds, dreams, and memories. I gave Marsha away at her wedding. I was very nervous and shaking as I marched her down the aisle. I have the tape of us at her wedding. I kept saying that I was at my sister's funeral and I had to catch myself. We had our first family reunion just weeks before Marsha was killed. Little did we know that it would be our last time together.... We discussed how she planned to retire in five more years and then we could be together again as a family. Marsha and I planned on moving back to Mobile and opening a business together. We have been deprived of a future together. Since Marsha's death, my life is not right. I can't focus anymore. I have flashbacks to when she was a little girl and almost died.... I feel as though I lost a big part of me.... Nothing will make me happy because you can't give me my sister back. I am scared to get too close to family because I think that I will lose them.

Declaration of Roosevelt Stallworth, ¶¶5, 7, 8 9.

183. Decedent Marsha Dianah Ratchford is also survived by her brother, **Carl Stallworth**, a citizen of the United States and a resident of the State of Michigan. Carl Stallworth writes:

Marsha was like a second mom to me. As my big sister she was always there for me. Marsha would work in Detroit all summer long to buy clothes for my sisters and me to have for school in the fall. When she came back from Navy Boot Camp, I was so proud that she came to watch me in my high school football game. I scored a touchdown just for my angel, Marsha. I think of Marsha a lot when I'm driving. She taught me how to drive before she went into the Navy, so I would be able to help take care of our mother when she was gone. When I am driving I think about all the good times we had together and how she was always there for me when I was a child. I know in my lifetime, I will never know another person as caring and loving as Marsha. It has been an emotional rollercoaster

ever since Marsha passed away. Some days I mentally shut down and thoughts of that day play over and over in my mind.

Declaration of Carl Stallworth, ¶¶4, 6.

184. Decedent Marsha Dianah Ratchford is also survived by her sister, **Cynthia Watts**, who is a citizen of the United States and a resident of the State of Alabama.

I was at work in a hospital on September 11, 2001, when the first plane hit the tower in New York.... When the second plane struck the World Trade Center I knew it was not a drunken pilot, that it had to be a terrorist attack. I immediately became afraid and nervous about my sister at the Pentagon. I was one of the few who knew that she was working at the Pentagon, and I knew that she has classified clearance. She had been newly assigned to the East Coast at the Pentagon as a Navy Officer. I thought about the White House. I did not know where the next target was going to be.... The next announcement I heard was that the Pentagon was hit and I immediately went to the nearest bathroom and locked myself in. I could not breathe. I knew my sister was in trouble. I had a very hard time after the 9/11 attacks. I lost time from work, as did my other family members. I was under a lot of stress and the bereavement process still has not ended. I suffer from migraines due to sleepless nights. My headaches have been so severe that I have been hospitalized and received therapeutic treatments. Every year from around July through September, and sometimes even through Christmas I get very anxious, sick, irritable and easily upset. I could not grieve Marsha's death and find closure. There are some treasures that can never be replaced. Marsha was such a treasure. Marsha sacrificed throughout her life for us because she always wanted my mother to have more than a one room shack.

Declaration of Cynthia Watts, ¶¶4, 9, 18.

185. Decedent Marsha Dianah Ratchford is also survived by her sister, **Angelia Stallworth-Blunt**, who is a citizen of the United States and a resident of the State of Alabama. Angelia explains:

Only two weeks prior to this horror, we had our first family reunion in Mobile, Alabama.... My sister was an IT1 First Class Petty Officer who was working in the D-Ring of the Pentagon on September 11, 2001. I spoke with Marsha on the phone the night before the attack on the Pentagon. Her baby was playing with her finger nail polish. As we hung up we both said; "Good night Sis, I love you." I did not know it would be the last "I love you" I would hear from her. A few hours later, Cynthia and I met at my mother's house with our brother, Reginald Simpson and we all got in my truck and drove straight to Washington. My mother was in denial because she had not understood that Marsha was working in the Pentagon. It was a very emotional drive and we all cried and prayed.... As we passed the still smoking Pentagon we all cried even harder and called out Marsha's name. Some

parts of the building were still on fire. At the family reunion in Mobile, Marsha and I had talked about our wishes if one of us died. I told Marsha that if I died I wanted her to help raise my kids. Marsha told me that she also wanted me to help raise her children. After this exchange, we laughed together and said "Let's stop talking about this!" Little did we know how this vow would come true and how soon! When I drove my mother and brother and sisters home from Washington, D.C. we took Marsha's baby home with us so Rodney could take care of things. Life changed drastically because of 9/11. I lost my second mother, my sister, my best friend. Marsha was the person I looked to in life to comfort me when I hurt, the person I looked up to above all others. Marsha's husband Rodney moved back to Alabama, just outside of Birmingham, and I would meet up with him every weekend to get his children. It is about a four hour drive from Mobile to Birmingham. I was driving back and forth so much that I did not have a life for years.

Declaration of Angelia Stallworth-Blunt, ¶¶4, 6, 9, 10, 11.

186. Decedent Marsha Dianah Ratchford is also survived by her half-brother, **Brian Christian**, (now known as Christian Brian J. Stallworth), a citizen of the United States and a resident of the State of Michigan. Brian Christian recalls in his Declaration:

As I grew older, Marsha would come to visit family in Detroit and she would bring her own children and her husband. We would all spend time at our eldest brother, Roosevelt Junior's house. Marsha was always the life of the party. She would make people laugh until they cried. When I was eleven years old, Marsha asked me to live with her and her family. She told me that I would have opportunities to travel to new places and get a great education. Marsha and I pleaded with my mom for almost a year to let me go. It did not happen. Since I could not go live with Marsha's family, she would send money to me for my education at the beginning of every school year. I remember being so disappointed when I could not live with Marsha, because except for my mother, only Marsha looked at me with such love in her eyes. Marsha continued to financially support my education until I was in college. After 9/11 I began to have major anxiety about traveling on planes, because there was always a high alert when I had to go somewhere.... Going to the airport is just another reminder for me of what happened to my sister ten years ago. I fear I will never be able to completely overcome that event.

Declaration of Brian Christian, ¶¶8, 11.

187. Decedent Marsha Dianah Ratchford is also survived by her half-sister, **Amanda Rogers**, a citizen of the United States and a resident of the State of Michigan. Amanda Rogers states:

I was 16 years old when Marsha was killed at the Pentagon on 9/11/2001. I lived in Michigan and was in the 10th grade. My mother came and got me from school when she heard about the attacks. We were watching everything on TV while I was at school. There was so much going through my mind but I remember I was really upset. I did not know if Marsha was in the Pentagon at the time of the attacks or not, but I knew that Marsha worked there. I just kept hoping she was not there. Later that day ... my other half sister, Angelia, called to tell me that Marsha was at the Pentagon when it was attacked. We did not get to see each other as often as I would have liked because I was just a child, still in school and Marsha was in the military stationed around the world and all over the United States.... However, she had a huge impact on me and how I live my life today.... Marsha always encouraged me to go far in life and to do well in school. She also taught me that if I had kids, it was my obligation to raise them the right way. I was only 16 when Marsha was killed so I have been deprived of the chance to have the adult, sisterly relationship with her that my other sisters have.

Declaration of Amanda Rogers, ¶¶4, 5 7.

FAMILY OF JOSHUA REISS

Decedent Joshua Reiss worked for Cantor Fitzgerald on the 105th floor of the North Tower, WTC. He is survived by his mother Judith Reiss, who was, individually and as the Personal Representative of the Estate of Joshua Reiss, a plaintiff in Havlish. Joshua Reiss was only 23 years old at the time of his death. He is also survived by his father, Gary Reiss, and four siblings, Adam, Jordan, Jonathan, and Jennifer who are Plaintiffs in this case. All of them are citizens of the United States and residents of the Commonwealth of Pennsylvania. Joshua's maternal grandparents, Lenore and Ken Jackson, and paternal grandmother, Ida Reiss, all of whom are now deceased, also survived him and are Plaintiffs in this case.

Category A -- Immediate Family Members

188. Decedent Joshua Reiss is survived by his father, **Gary Reiss**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania. In his Declaration, Gary Reiss writes:

As soon as I put the TV on I knew he was dead. The plane crashed below where he worked and I knew that Josh couldn't have survived but I couldn't say to my wife ... we lost a child. So I called her and I said "I'm on my way home." She was screaming "he's dead, he's dead, I know he's dead." She was praying that it

would be something different but she knew. All you had to do was look at the Towers. I think Josh worked on the 105th floor and the planes hit on 75 or 80 and nobody could survive that. They couldn't get down below that.

Declaration of Gary Reiss, ¶8.

189. Decedent Joshua Reiss is survived by his brother, **Adam Reiss**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania. Adam was 25 years old when his brother, Joshua, was killed in the Twin Towers.

It was extremely hard for me to keep my emotions and worry to myself not to alarm my brother and sister. As the oldest of the 5 children in our family, I knew it was my responsibility to take care of them. My parents sometimes joke around that I do not have a heart, that I can be a little cold at times, but thank God I was able to put my feelings aside, to keep functioning, and that I was able to do a lot of things for my family when they really could not do for themselves. And really, I could not handle the situation either, but I did it because I had to. I think about how I am going to tell my daughter about her uncle or about 9/11 and the effects on her family.... I want to protect my child and I do not want to have to tell her about such a horrible thing, but obviously at some point I am going to have to. I get choked up thinking about it.... Since 9/11 I have had to be the rock of our family. I had to make sure that the businesses were going. I had to make sure that the Foundation was going. I had to make sure that nothing would happen to my other siblings. It caused me to grow up fast.

Declaration of Adam Reiss, ¶¶7, 20.

190. Decedent Joshua Reiss is survived by his brother, **Jordan Reiss**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania. Jordan explains:

Growing up Josh and I were really close.... As we got older we really grew closer and had a lot of common interests and by the time he passed away we were virtually inseparable. We were interested in all the same things. We supported one another and Josh really took an interest in what was going on in my life. I was actually in the World Trade Center on the 12th of August, 2001. I went up to Josh's office on the 105th floor. We went to Windows of the World. This was just a few days before I was to start college. I went to New York City a lot right before I left for school, but that was my first time to visit Josh at work and obviously also my last time. Even now I have that image in my head of the view of the Statue of Liberty, the people he worked with, the office and what it looked like. For ten years I have spent a lot of time thinking about what happened in that room on 9/11.

Declaration of Jordan Reiss, ¶¶4, 6.

191. Decedent Joshua Reiss is survived by his brother, **Jonathan Reiss**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania. Jonathon writes:

I was in 10th grade at the time of the attacks on the World Trade Center.... In my second period class my teacher mentioned that there was some sort of accident in New York City and that a small plane flew into one of the towers.... However, when I got to my next class, my teacher told my class that both buildings had been hit by planes. By that point both of the towers had come down.... Without saying a word, I got up from my seat and walked out of the room. I took a right down the hallway, and I saw my oldest brother Adam walking down the hall with our Principal. That told me everything I needed to know.... I grew up in a charmed house and led a charmed life, but the moment I saw Adam walking down the hallway, my life changed forever. I knew I had to be a grownup. I stop myself from wondering if Josh suffered, I stop myself from wondering, "What if Josh was still alive." I try to see the good things that resulted from 9/11, such as the business Jordan and I have started. If Josh had lived, I think Jordan and I both would have gone into finance. Who knows what Adam or my parents would be doing now if we had not lost Josh. But what could have been and what reality is are very different things for my family.

Declaration of Jonathan Reiss, ¶¶4,15.

192. Decedent Joshua Reiss is survived by his sister, **Jennifer Reiss**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania. Jennifer Reiss was only 11 when her brother Joshua was killed in the World Trade Center. Because of the loss of her brother, she explains:

For a year or two after 9/11 I feared my mom would commit suicide. About six months after 9/11 my dad and I finally started going out to dinner and going places again, but my mom would not go. I used to fear that we would come back from dinner and she would be in the house dead. I do not think my mom and dad know that I was afraid of that happening, but I would make my dad walk into the house first because I was always afraid that she was going to be dead. I am jealous that my brothers have more memories of Josh and our family before this tragedy. They will laugh and share good times thinking about Josh and all it does is make me cry because I cannot participate.

Declaration of Jennifer Reiss, ¶¶8, 11.

Category C – Other Functional Equivalents of Immediate Family Members

193. Decedent Joshua Reiss was survived by his grandmother, **Ida Reiss**, a citizen of the United States, now deceased. Ida Reiss's son and Personal Representative, Gary Reiss, presents his Declaration on her behalf:

When Joshua went to work on Wall Street, Ida was so proud. As a business person she understood all about what he was doing. When Josh told me he was going to Wall Street to work I was somewhat against it, but not my mother, who was the matriarch of our family and lived until she was 98 years old. She said to me, "Let go. Let go of the leash and let him run with it." Joshua's Grandma Ida understood he had to make his own way in the world. When Joshua got the job on Wall Street, my mother called my sister, Barbara, who lived on 53rd Street in New York City. She told Barbara; "Joshua is moving in with you." My sister said, "Of course. Sure." Joshua lived with my sister for quite a while before he could afford to get his own apartment. I'm sure my sister would have done it anyway, but you know it is not easy for an aunt to live with a young kid in the apartment. But my mother said, "You are doing it." And that was the end of it. When Ida said it, it was done. Once Josh moved to New York, my sister took our mother to see Joshua where he worked at Cantor Fitzgerald. Ida was 85 years old when Joshua was killed. It destroyed her. She was in Florida at the time but she came right up to our house in Pennsylvania. She stayed with us for three or four weeks. My wife's parents were also in Florida and they picked up my mother and they all drove to Pennsylvania together because no one could fly after 9/11. She came to be with her family to console me and to help with the children, but she was broken-hearted herself. After 9/11, my sister was also with my family and our mother all the time. My mother could not handle it. I watched all of Josh's grandparents just get destroyed by his death on 9/11.

Declaration of Gary Reiss, on behalf of Ida Reiss, deceased, ¶¶6, 8.

194. Decedent Joshua Reiss was survived by his grandmother, **Lenore Jackson**, a citizen of the United States, now deceased. Judith Reiss, the daughter and Personal Representative of the Estates of Lenore and Ken Jackson, provides a declaration on behalf of her parents concerning the impact of the death of Joshua Reiss on his grandparents. Judith explains:

Joshua had an unusually close relationship with my parents.... Since my kids were their only grandchildren they were always with us. My parents came up for every school play, recital, Hebrew school performance, and we had five children for them to keep covered. They would not miss anything. My parents retired when they were fairly young. My father was 55 and my mother was 51....They retired

six months after I got married. They had nothing but time to spend with their grandchildren and they were at an age where they could enjoy them. Joshua and his three brothers went to stay with their grandparents every summer from the time Joshua was a baby.... My parents would drive from where they lived and pick them up in Pennsylvania where we live and drive them back to Georgia where they stayed for four weeks. Sometimes my husband and I could get down there and spend a fifth week, and sometimes my parents would drive them back home to Pennsylvania... Later, my parents moved from Pine Mountain to Florida.... In addition to the summers that they spent with Joshua, my parents were at our home for every holiday. They were here the week from Rosh Hashanah to Yom Kippur every year. They were at our home in Pennsylvania for Thanksgiving.... My parents would take my children out of school every year in mid-December and keep them until about mid-January. My father took their class work and their homework and did everything with them during these weeks. My parents were at home with Joshua and his siblings for Passover every year.... My parents had keys to my house. If I had to be working or if my husband was working, or if my husband and I would go away on business, my mother would fly up from Florida to stay with my kids for four to five days so we could go on business trips.

Declaration of Judith Reiss on behalf of Lenore and Ken Jackson, deceased, ¶¶5-7.

195. Decedent Joshua Reiss was survived by his grandfather, **Ken Jackson**, a citizen of the United States, now deceased. Judith Reiss explains the relationship her father had with his grandson:

My father was the kind of man that changed diapers and did everything for his children. He would take care of his grandchildren when they were very young.... He taught my kids how to play golf and how to swim. My mother would cook with them. My father was the Pied Piper but he demanded complete respect, no talking back.... Joshua went to college in South Carolina because he wanted to be close to his grandparents and he wanted to be in the South. My mother was 77 and my father was 82 when Josh was killed on 9/11/2001.... I was hysterical on the phone, but they were sure Josh was going to be all right....they drove all the way up here to Pennsylvania (from South Florida). That was a horrible drive. My father looked at my mother, handed her the keys and said, "I cannot drive." He never drove again....They stayed with us for about a month after 9/11, trying to help me out. My father was a World War II veteran. He had seen Buchenwald prison camp. He made forty-three North Atlantic crossings on Army troop ships.... He used to tell some great tales. He was a live wire.... He truly was one of the Greatest Generation. But when they arrived at my house after 9/11, it was the first time I ever saw my father cry. I had never seen my father cry, ever. No matter what happened, he was able to handle it.... It [9/11] ate at him. He said, "This country should have been able to keep him [Joshua] safe." It destroyed the man.

Declaration of Judith Reiss on behalf of Lenore and Ken Jackson, deceased, ¶¶8, 10, 12, 13.

FAMILY OF ELVIN ROMERO

Decedent Elvin Romero was employed by Cantor Fitzgerald on the 104th Floor of the North Tower of the WTC. The Estate of Elvin Romero, represented by its Personal Representative, Diane Romero, Elvin's surviving spouse, was a plaintiff in Havlish. Diane Romero also was a plaintiff with an individual claim in Havlish. 9/11 Decedent Elvin Romero is also survived by his father, Issac Romero, his mother, Carmen Romero, deceased, and his sister, Diana Diaz.

Category A -- Immediate Family Members

196. Decedent Elvin Romero is survived by his father, **Isaac Romero**, a citizen of the United States. Diana Diaz, the daughter of Elvin and Carmen Romero, explains in her declaration that when she was at work, she saw on a TV what was happening:

I ran back home, which was my parents' home, a two family brownstone; I rented their top floor with my husband and daughter [W]hen I got home my mother was already there and she was inconsolable.... I was in Brooklyn. We live near fourth, right near the water facing Manhattan. I could see clearly what was happening. My brother was in the first tower that was hit. At the time of 9/11 both of my parents were working. However, after 9/11, neither of my parents ever returned to work.... They were unable so they retired, disabled, because of what happened. My mother was fifty-five, nowhere near retiring. My father was around sixty-one, sixty-two.... I went back to work at the end of October, 2001 because I had to. Neither of my parents were ever able to step foot back at work. My mother worked at the hospital and my dad worked at an apartment building in New York. He was a handy-man. My parents both suffered tremendously, even to this day. I go with my father to visit my brother once a month. He is located in a cemetery in Jersey. Every month when we go to visit his grave, my father weeps like it happened the other day. My father comes over to visit us a lot. When he comes over, he is very quiet. He has not celebrated anything either since losing my brother. Before my brother died, we, as a family were full of life, full of fun.

Declaration of Diana Diaz, ¶¶ 4, 7, 8 10.

197. Decedent Elvin Romero was also survived by his mother, **Carmen Romero**, a citizen of the

United States, who died after the attacks of September 11, 2001. Diana Diaz is the Personal Representative of the Estate of Carmen Romero. In her declaration on behalf of her mother, Diana Diaz states:

My mother grieved so bad that it affected all of us. Nothing mattered for her after that. It did not matter what I did; what my children did.... So my children came home from school and they had to deal with my mother just moping. But my mother found comfort in them.... Everything was sadness.... But I felt that there was no better place for my children to be and my mother needed them.... It was a horrible situation because there was no consoling my parents.... My daughter's sixth birthday was two days before 9/11. That was the last time we saw my brother. So, for her it has never been a regular birthday.... She lost Christmas, because after 9/11, my mother never celebrated anything again. I felt that I had no choice but to sit home and not celebrate it either.... My mother became incredibly sick in the sense that loosing Elvin consumed her. She never partook in anything after that.... Special occasions before 9/11 were wonderful.

Declaration of Diana Diaz, ¶¶7, 8, 9.

198. Decedent Elvin Romero was also survived by his sister, **Diana Diaz**, a citizen of the United States. Diana Diaz states in her Declaration:

Before my brother died, we, as a family were full of life, full of fun. My brother wanted to celebrate anything and everything that happened. Elvin was very generous, very giving, and very full of life. I would go to his house every week and he would come to see us. By Monday or Tuesday we were back on the phone talking about what we were going to do on the weekend. Elvin and I were five and a half years apart in age.... We were a close family; Elvin spoke to us day in and day out. My brother lived in New Jersey and he would come to visit my mother early every Saturday morning. He would stay for an hour or two and then go back home. If I was at his house on the weekend, on Monday he was already calling, asking me, "What are you doing this week? What are we doing? Are you going to come over?" For years I went to every single memorial at Ground Zero. In 2009, I read my brother's name. I was so happy because I had tried for so many years to be able to read his name.... But for the past two years, I have been overwhelmed. I have withdrawn from all of the 9/11 activities for the past two years and I have gone to work.

Declaration of Diana Diaz, ¶¶10, 12, 14.

FAMILY OF RICHARD ROSENTHAL

Decedent Richard Rosenthal worked for Cantor Fitzgerald on the 101st Floor of the North

Tower of the WTC. The Estate of Richard Rosenthal was a plaintiff in Havlish, represented by its Personal Representative, his surviving spouse, Loren Rosenthal, who also asserted her individual claim. 9/11 Decedent Richard Rosenthal was also survived by his parents, Florence and Leonard Rosenthal, now both deceased, and Richard's sister, Audrey Model. Audrey Model, at the time of the filing of the complaint in this case, held the Power Of Attorney for both parents, and she is now the executor of both parents' estates. All of these individuals are citizens of the United States and residents of the State of New Jersey. Decedent Richard Rosenthal was also survived by his sons, Evan Rosenthal, now deceased, and Seth Rosenthal, both citizens of the United States. Loren Rosenthal is the Personal Representative of the Estate of her son, Evan Rosenthal.

Category A -- Immediate Family Members

199. Decedent Richard Rosenthal was survived by his father, **Leonard Rosenthal**, a citizen of the United States, now deceased. Leonard Rosenthal's daughter, Audrey Model, is the Personal Representative of her father's estate. Audrey Model wrote in her Declaration, which was prepared on behalf of her parents while they were still alive:

My parents are currently 94 and 92 years of age, respectively, and reside in a nursing facility in New Jersey.... Had my brother Richard still been alive, he may have moved our parents into his own home. Richard had a very close relationship with our parents and always thought to include them in everything. When my father attended the burial for Evan [his grandson], it was the first time that he had actually seen his son's grave. He was unaware that it existed. Seeing his son's and grandson's names side-by-side was too much for my father to bear. He sobbed uncontrollably. It was the first time I had seen my father express his emotions this way. It is difficult to imagine the grief that my parents have borne in losing a son and a grandson, especially since Richard was an innocent civilian that was killed due to a terrorist attack.

Declaration of Audrey Model on behalf of Leonard Rosenthal and Florence Rosenthal, by Power of Attorney¶¶5, 6 11.

200. Decedent Richard Rosenthal is also survived by his mother, **Florence Rosenthal**, a citizen of the United States, now deceased. Audrey Model, states in her declaration on behalf of her parents:

He [Richard] would call my mother every night when he returned home from work at Cantor Fitzgerald in the North Tower. My parents were members of a generation that did not express their feelings very openly, but my mother could not stop crying as September 11th and its aftermath for our family unfolded. My father was more concerned with supporting her rather than expressing his own feelings. During December 2001, there was a family wedding in Florida. Since we all feared flying so soon after the attacks, I drove my parents down to the wedding. My mother cried for the entire ride. She could not bring herself to enjoy things after the attacks. Every September 11th, I spend 90% of my day with my parents to make sure they get through.

Declaration of Audrey Model on behalf of Leonard Rosenthal and Florence Rosenthal by Power of Attorney, ¶¶6, 7, 8, 12.

201. Decedent Richard Rosenthal is also survived by his sibling, **Audrey Model**, who writes:

We had a memorial service at Richard and Loren's synagogue four weeks following the attacks. No remains had been found at this time, so we had nothing to bury. Everything since September 11th had seemed like a nightmare, but reality set in while I was at Richard's memorial service. I was inconsolable. September 11th and the memorial service were the two most overwhelming days of my entire life. It was difficult to get my life back together following the attacks. One night while I was sleeping, I had a nightmare in which my brother was next to me. When I touched him, he turned into ash. After this, I decided to seek counseling to deal with my grief. Going back to work, combined with the counseling, was the best thing for me at the time. My parents are now in their nineties and I have had to make some very difficult and challenging decisions regarding their care. Having my brother's guidance and assistance during these times would have been invaluable. Over ten years following the attacks, 9/11 still represents an open wound for me. I'm unable to watch movies and read books that involve the tragedy.

Declaration of Audrey Model, ¶¶11, 12, 15, 17.

202. Decedent Richard Rosenthal is also survived by his son, **Seth Rosenthal**. Seth Rosenthal explains in his Declaration:

I lost my father on 9/11 when I was fourteen years old. I did not know what to think for a month. I was actually the last person in our family to come to grips with what happened. I stayed home for about a week after the attacks. I sat in the

kitchen most of the time. I called my dad's cell phone repeatedly; I must have left hundreds of messages before the voice mail was full. I was in a lot of therapy. I was put on medication; anti-depressants, sleep and ADD medicine.... I also have fears; I still freak out when I fly and I get scared when my mom has to fly. When I see planes that are low to the ground I get nervous. I was a good kid and after 9/11 things just fell apart for me. Mom tried very hard to be a father and a mother, and that is not fair for me to ask her to be like that. So, it never quite worked. I have struggled a lot in my life. I was really traumatically affected by 9/11 because I was fourteen. I was at a really bad age. Right now, I live a sober life, but those few years after my dad died I fell into a drug spiral.... I believe that if dad were alive everything would have been different because I would not have been lost.... I think that using drugs was my way of hiding from the truth.

Declaration of Seth Rosenthal, ¶¶4, 5, 7, 12.

203. Decedent Richard Rosenthal was also survived by his son, **Evan Rosenthal**, a citizen of the United States, who passed away in July 2007 at the age of 24. Loren Rosenthal, Evan's mother, is the Personal Representative of the Estate of Evan Rosenthal, and she writes:

[Evan] was a very special child who was afflicted with familial dysautonomia, or Riley-Day syndrome Despite all of his physical limitations, Evan was a very happy child and a joy in our lives. Until the end of his life when a respirator was required, Evan could read, speak and write at approximately an 8th grade level. Evan spent a lot of time in the hospital, initially at Columbia Presbyterian Babies' Hospital and at NYU Medical Center after he was diagnosed with dysautonomia. My husband always worked in NYC and came directly to the hospital after work to visit Evan every day. Even before Evan was able to tell time, he was always able to sense his father's arrival. All of a sudden, he would get a big smile on his face, because he could discriminate his father's footsteps from the rest of the hospital noise coming down the hall. We had conversations about the terrorist attacks. At one point, I recall him asking "if Daddy knew what happened" on September 11 because Evan was concerned about whether Richard had suffered or not. Richard's office was on the 101st Floor of the North Tower and I still have his charred Cantor Fitzgerald ID card.

Declaration of Loren Rosenthal on Behalf of Evan Rosenthal, Deceased, ¶¶4-5, 8, 12.

FAMILY OF JOSH ROSENTHAL

Category C – Other Functional Equivalents of Immediate Family Members

204. Decedent Josh Rosenthal is survived by his niece, **Madeleine Rosenthal**. Madeline Rosenthal will file a motion for voluntary dismissal with this Court.

205. Decedent Josh Rosenthal is survived by his niece, **Alexandra Rosenthal**. Alexandra Rosenthal will file a motion for voluntary dismissal with this Court.

FAMILY OF NICHOLAS ROWE

Nicholas Rowe is survived by his father, Alexander Rowe, who was an individual plaintiff in Havlish, and by his mother and two siblings, as well as his fiancé, Michelle Baker, who are Plaintiffs in this case. See Memorandum Section VIII.

206. The **Estate of Nicholas Rowe** is represented by his father, Alexander Rowe, who is his son's estate's Personal Representative. Alexander Rowe is a United States citizen and a resident of South Africa. Nicholas Rowe had immigrated to the United States from South Africa in search of a better life; he held U.S. permanent residency. On the morning of September 11, 2001, Nicholas Rowe was working at a conference being held at Windows on the World on the 106th Floor of the North Tower of the WTC. His body was found atop the roof of the hotel adjacent to the North Tower approximately two days after the attacks. His body was fully dressed and intact save his left arm, which was missing, and his right hand contained burn marks. Nicholas Rowe was buried in his home country of South Africa, approximately 200 feet from his parents' home.

Category A -- Immediate Family Members

207. Decedent Nicholas Rowe was survived by his mother, **Judith Rowe**, who was a citizen of South Africa. Judith Rowe died following the terrorist attacks of September 11, 2001. Her surviving husband, Alexander Rowe, is a United States citizen, and is the Personal Representative of the Estate of Judith Rowe. Judith Rowe had written her thoughts on 9/11 and the loss of her youngest son Nicholas prior to her death, but she passed away before executing the document as her sworn declaration. Accordingly, her husband and Personal Representative confirms this document's authenticity in his declaration. In her own words, Judith stated:

Two days later Nicholas was found largely intact on the top of a Hotel. Apparently he had jumped from the top floor. He had such a zest for life I simply can't imagine him ending his own life. His hands were burnt. We can't bear to think about it.... I feel quite unable to convey the pain and loss we all feel. We were all in close contact with Nick and saw him regularly. We looked forward to his future with his girlfriend Michelle, and Alec and I of course hoped to enjoy his children. Nadine has lost her great friend and champion and still can't understand why he isn't there. For us all, a lot of the joy of life has gone.

Exhibit 1 to Declaration of Alexander Rowe as Executor of the Estate of Judith Rowe.

208. Decedent Nicholas Rowe is survived by his sister, **Nadine Rowe**, who is a citizen of South Africa. Alexander Rowe, an American citizen living in South Africa, is the parent and natural guardian of Nadine Rowe, and he states in a Declaration on her behalf:

My wife and I had four children Our first child Nadine is mentally retarded. She needs constant care and lives at a home for mentally retarded children. Nadine is also clinically blind and has had no education. Nevertheless, Nadine has much emotional and intuitive understanding. She is a very loving, kind child who was particularly close to our son and her youngest brother, Nicholas. Nadine has now also lost her mother, my wife, Judith. But it is in Nicholas that Nadine has lost her most loving and attentive supporter. They were always very close and fond of one another. To this day, Nadine is unable to comprehend what happened to Nicholas. To this day, eleven years later, she keeps on asking where he is and when he is coming to visit. Nicholas had always assured us that we could count on him attending to Nadine's long term care. In fact, if anything were to happen to my wife and I, Nicholas and [his fiancé] Michelle were going to bring Nadine to America and assume the burden of caring for her. Now I worry for Nadine's future and the cost of her long-term care.

Declaration of Alexander Rowe as Guardian of Nadine Rowe, ¶5, 10, 11, 12.

209. Decedent Nicholas Rowe is survived by his brother, **Paul Rowe**, who is a citizen of South Africa. Paul Rowe states in his Declaration:

I work as an orthopedic surgeon for the Department of Health.... I found out about the terrorist attack on the World Trade Center at about 5 p.m. South Africa local time ... as I was driving home from work.... As soon as I arrived home I tuned into CNN. Watching the live coverage of the attack was one of the most horrible things that I ever witnessed. I tried to phone my brother, Nicholas at his flat in Hoboken, New Jersey ... and I got his voicemail. I then tried to contact him at work [A]s far as I was aware he did not ever go into New York City for

work purposes. When I reached the offices where he worked I was transferred to the CEO of the company who told me the sickening news that Nicholas was actually in one of the World Trade Center Towers and was in fact giving a presentation in the restaurant at the top.... I then had to contact my mother ... in Johannesburg with this absolutely tragic news and I also contacted my sister who lived in Pretoria.... I was unable to contact my Father as he was in the USA travelling on business. About 20 minutes later the first tower fell, and not long after I watched in total horror as the second Tower fell with my brother and thousands of others in it. After 9/11 I was given three days off work.... About 6 days after the attack as I was about to start operating on a patient, I was called by my father to tell me that Nicholas's body had been found and positively identified. My father was a broken man and cried uncontrollably through the conversation. He asked me to find an appropriate site to bury Nicholas at our family holiday home. I somehow managed to perform the surgery but I was not in the best frame of mind and probably, had I been given the opportunity, should not have continued work that day. [A]bout 3 months after the burial we were contacted by another family in the USA who wanted to know if we had in fact buried Nicholas and where. It turned out that the one arm of "Nicholas" in the casket was in fact the arm of her late husband! The reopening of the wounds that Nicholas had been so tragically killed and also ripped apart limb from limb to the extent that his body was never really properly reconstructed still upsets me to this day. I have in my safe the photos of Nicholas's body used by the coroner in New York. Nicholas at the time was identified by one of his close friends. We have never looked at the photos.

Declaration of Paul Rowe, ¶¶4, 7, 8.

210. Decedent Nicholas Rowe is survived by his sister, **Rachel Logan**, who at the time of the 9/11 attacks was a citizen of South Africa, but by the time of the filing of this lawsuit, had become a citizen of the United States and a resident of the State of Maryland. She remembers:

... [I]n one sense, we were kind of in denial. I was dealing with it by thinking, 'Well, he is in America and he is not coming back, but he is still there.' But when they found his body that did not work anymore. I had to face the reality that this really happened. Even after moving to the USA, Rachel had a hard time dealing with her brother's death and she did not talk about it. "Then, I started telling complete strangers who I would never see again. That was the first time that I started speaking about it. I realized it was crazy that I could only talk about Nick's death to people who I knew I was never going to see again.... Then, when I finally got up the guts to tell somebody that I had known through our church, they did not believe me. That was terrible. They just looked away. They must have thought I was trying to get attention or something. Because they had known me for a year, and after a year, I am finally telling them. I lived in South Africa at the time of the terrorist attacks on America on 9/11/2001. I had spoken with my

brother Nicholas, on the Saturday before he was killed. As it happened, my husband was in America at the time. He was in the Atlanta area with my father. My husband and I were planning to immigrate to America.... The two of them were in America driving around thinking about where we might want to live, what would we do. Since they were not at a fixed place it was not easy for us to get hold of them.... About nine o'clock that evening, my father phoned from Atlanta.... [M]y mom told our dad that Nick had been at the conference and since we had not been able to locate him, it did not look good. She actually could not talk much. She was quite devastated.... My father went to New Jersey and stayed in Nick's flat in Hoboken. He got in touch with the authorities, gave his name and details of the next of kin.... They found Nick's body fairly soon, only two or three days later. My father phoned me because he could not find my mom. He said, "It appears as if Nick jumped. They found his body on top of a nearby hotel." When we moved to America, we lived for six weeks in Nick's fiancée, Michelle's parents' basement. They would have been Nick's in-laws if he had not been killed. They said, "Come stay with us. It is the last thing that we can do for Nick...." My mom got ovarian cancer after Nick was killed. I do not know whether it is true but there were comments made that the stress of dealing with the loss of Nick contributed to her getting ovarian cancer.... and I cannot dismiss it. My son that I was pregnant with at the time Nick died is the spitting image of my brother. It is quite extraordinary. Because of my youngest son, I can tell them, "This is what Nick looked like." And, "Nick did the same thing." Nick was always the cute, funny one. My son has Nick's cute little personality and does things the same as Nick.

Declaration of Rachel Logan, ¶¶4, 5, 6, 7, 9, 10, 13, 14.

Category B – Functional Equivalents of Immediate Family Members

211. Decedent Nicholas Rowe is survived by as his fiancé, **Michelle Baker**, who is a resident of the State of New Jersey and a citizen of the United States. Michelle Baker states:

Nicholas and I had been together for three years when he was killed on 9/11. His parents referred to me as his fiancé, and we referred to them as my in-laws. That is just the way it was. We were discussing marriage and Nick was helping me pay off my student loans.... The Christmas before 9/11 we traveled to South Africa together to spend the holidays with his family.... Nick's parents ... told me they knew how serious Nick was about our relationship because he had never brought a girl home to South Africa to meet his family. They knew how committed we were to each other by how he acted with me.... When 9/11 happened, Nick was helping me financially because when I had to start making payments on my student loans, I was not making enough by myself to pay all of my expenses. Even after Nick died, his parents continued to help me finish paying off the loans. It was stressful to fly into South Africa for Nick's funeral. There was a lot of press surrounding it because Nick was the only South African citizen killed in the

attacks.... There was concern that there would be press at the airport but, thankfully there was not. I would not have been able to emotionally handle it. As it was, I cried half way to South Africa, and it is an 18 hour flight. I spent three weeks with Nick's family. We had the funeral at their farmhouse in Cape Town. After the funeral I went on a safari with Nick's mom and her best friend

Declaration of Michelle Baker, ¶¶4, 9.

At the time of his death, Nicholas and Michelle had been together for three years and were discussing marriage. Despite the fact they were not married, they behaved as if they were a married couple. Nicholas helped her pay off her student loans. After Nicholas's death, his parents continued to help her finish paying her loans. Declaration of Michelle Baker, ¶4.

They continued a familial relationship after Nicholas' death. Alexander Rowe writes in his declaration, "Earlier this year I attended Michelle's marriage almost 10 years after 9/11. We lost not only Nicholas, but a lovely prospective daughter-in-law, and perhaps grandchildren. I often worry that Michelle lost her ten best procreation years." Declaration of Alexander Rowe, ¶12.

When Nicholas' sister, Rachel Logan and her family immigrated to the USA, she and her family lived in Michelle's parent's basement for six weeks. "They would have been Nick's in-laws if he had not been killed. They said, 'Come stay with us. It is the last thing that we can do for Nick. We want to do this for Nick just come stay with us.'" Declaration of Rachel Logan, ¶9.

Nick's parents are like a second set of parents to me and knew pretty much everything that was going on in my life. When they met my current husband, they point blank asked him what his intentions were. Nick's family was at my wedding. I think that the Rows wanted to include me in everything, because they felt strongly that if Nick had not been killed, we would have been together forever. Nick's little sister is developmentally disabled. Nick and I were going to be her guardians when his parents could no longer fill that role. Nick's sister Rachel and her husband Norman and their kids lived with my parents for about six months when they first moved to the United States in 2002.... My brother had a landscape and irrigation business so Norman went to work for my brother in upstate New York.... My family felt that if Nick was still alive it would not even be a question that his family would stay with them so it

should be that way even though he had died. My mom still has a relationship with Nick's sister and the kids.... Our families will always be linked and not just through me.

Declaration of Michelle Baker, ¶¶12, 13.

FAMILY OF MARIA THERESA SANTILLAN

Decedent Maria Theresa Santillan worked on the 103rd Floor of the North Tower of the WTC. The Estate of Maria Theresa Santillan was a plaintiff in Havlish, as were her parents, Expedito Santillan and Ester Santillan, individually. 9/11 Decedent Maria Theresa Santillan is also survived by her brothers, Victor Santillan and Raymond Santillan, both of whom are citizens of the United States and residents of the State of New Jersey, and are Plaintiffs in this case.

Category A -- Immediate Family Members

212. Decedent Maria Theresa Santillan is survived by her brother, **Victor Santillan**. In his Declaration, Victor Santillan recalls the events of the week, as he careened from fear to hope to desperation to grief:

There is actually a vantage point in my building where I could see into New York City. I could see the smoke coming from the building. That was about 9:15. My cousin, Judy Fernandez also worked in the World Trade Center, our families are very close, and she was very close to my sister. [M]y cousin's boyfriend ... was in shock. The first thing he said was, "I see bodies coming out of the air and falling to the ground." I was able to get in touch with my father, and ... [w]hen he told me he had talked to [Maria] I was somewhat relieved. My father told me that he had told her to get out of the building. [He said] "Oh, she was quiet. She was fine. She just said that the building was hit by [a] plane and that she was going to try to find Judy in the building." At that point it was around 9:30. We decided that the next day we would go into New York City to look for my sister and my cousin.... At the time we did not know what was happening. We thought maybe people had escaped and maybe had been knocked out by the falling debris, or maybe people were in the hospitals without their belongings so they could not be identified. We went to scour the city and go to the hospitals and find out if there were any missing persons. We made flyers with pictures of my sister and information that would help to identify her.... We went back to the city every day until Saturday. [W]e left early in the morning and stayed until it was dark and there was nothing more we could do. When we were in the city, it was heart wrenching to see so many families in the same predicament. We

realized that it was not just us out there looking. There were many other families doing the same thing. Early Wednesday morning, I broke down. I realized I would no longer have my older sister.

Declaration of Victor Santillan, ¶¶4,7, 8.

213. Decedent Maria Theresa Santillan is survived by her brother, **Raymond Santillan**. Raymond recalls his feelings after 9/11:

When Maria was killed I dropped out of college. I felt like I was going nowhere.... All I was doing is working at a liquor store part time and going out drinking. I would go out because I did not want to be at home with my parents and deal with the grief from losing my sister.... I broke down. I felt like, “What’s the point of living if something like this could happen at any moment? Why not just live my life to the fullest now?” But the fullest amount to me was going out and drinking trying to mask my feelings about everything that happened and our problems.... That is why I went to therapy. I was going down a bad road. I am Catholic and I always went to church on Sunday, but I lost faith after 9/11.... I cannot stand it when people say: “Maybe God has a plan.” Do not tell me there is a reason why someone would run a plane into a building and kill all those people and then there’s a good reason for it.

Declaration of Raymond Santillan, ¶11.

FAMILY OF VICTOR J. SARACINI

Decedent Victor J. Saracini was the pilot of United Flight 175 which crashed into the South Tower of the WTC. Victor J. Saracini was murdered by the hijackers during the flight. The Estate of Victor Saracini was a plaintiff in Havlish and was represented by his surviving spouse, Ellen Saracini. Ellen Saracini, along with Victor Saracini’s surviving mother and sister also were plaintiffs in Havlish. In addition, Decedent Victor Saracini is survived by his daughters, Kirsten Saracini, who is a citizen of the United States and a resident of the Commonwealth of Pennsylvania, and Brielle Saracini, a citizen of the United States and a resident of the State of New York, and both daughters are Plaintiffs in this case.

Category A -- Immediate Family Members

214. Decedent Victor Saracini is survived by his daughter, **Kirsten Saracini**. Kirsten was 13 years

old on September 11, 2001. Her father, the pilot of the plane that was crashed into the South Tower, was one of the first people confirmed dead due to the 9/11 hijackings. She states:

I spent my entire adolescence making people sad by just being alive. There came a point when this horrible, crazy, abnormal reality became normal for me. I did not just lose my dad; I lost my entire way of life. I had to figure out a whole new path; one of being in the public eye, of engaging in weird social interactions, and of dealing with my mom. I started distrusting everyone because I never knew if anyone wanted to be my friend because I was pseudo famous in this community, or because they actually wanted to be my friend. Although it is irrational, I blamed myself for my father's death and experienced self-loathing and self-hatred. I hated myself from 13-23 years old. I was lonely and miserable for 11 years as a direct result of my father's death and the aftermath. It took me ten years to overcome my depression and deep sense of meaninglessness and emptiness.

Declaration of Kirsten Saracini, ¶¶15, 16, 21.

215. Decedent Victor Saracini is survived by his daughter, **Brielle Saracini**. Brielle was ten years old when her father was murdered. She recalls:

I tried to go to therapy but did not like it. I did not like how it made me feel. The forced nature of it kind of scared me. I just did not like talking about how my father died. I think I had to keep my emotions pent up inside in order to be strong for my mother. I tried to ignore the grief but then, about three years later, I got very, very sick. It was as if my body grew to express its aches through physical symptoms. I had to go to the hospital to try and figure out what was going on with me. I could not hold down any food and lost a lot of weight. My sophomore and junior years of high school were the most difficult ones. I missed an absurd amount of class time....In my sophomore year, I had lost forty-five pounds in two months.... For two years, I visited numerous doctors and hospitals. I was diagnosed with severe depression, which led to overwhelming thoughts of suicide.... I drafted suicide notes on multiple occasions and sat alone on my kitchen floor holding cleaning supplies and thinking about drinking poisons. I was tired of the confusion and heartbreak that surrounded my father's death. Fortunately, I have sought out help from my friends and family and, as a result, I am in a much more emotionally stable place now.

Declaration of Brielle Saracini, ¶¶14, 17.

FAMILY OF SCOTT SHERTZER

Decedent Scott Schertzer worked on the 104th Floor of the North Tower of the WTC. His father, Paul Schertzer, is the Personal Representative of the Estate of Scott Schertzer. Both the

Estate of Scott Schertzer and his surviving parent, Paul Schertzer, individually, were plaintiffs in Havlish. Decedent Scott Schertzer is also survived by his mother, Ellen Schertzer, a citizen of the United States and a resident of the State of New Jersey, and his sister, Lori Brody, a citizen of the United States and a resident of the State of California, and both are Plaintiffs in this case.

Category A -- Immediate Family Members

216. Decedent Scott Schertzer is survived by his mother, **Ellen Schertzer**. In her Declaration, Ellen Schertzer states:

Prior to September 11, Scott was agonizing about an impending lay-off at Cantor. He never laid-off people before and some of the individuals on the list were his friends. The 10th of September came and the lay-off happened. The irony is that these people were saved. At a memorial service, the laid-off employees wrote, “My Hero”, on a picture of Scott. Scott was no longer just my hero.

Declaration of Ellen Schertzer, ¶¶10, 11.

217. Decedent Scott Schertzer is also survived by his sister, **Lori Schertzer Brody**. Lori recalls her last “argument” with her brother:

Scott stayed at my apartment the night before, as he had done many nights in the months prior to his murder. I told him he had to go to work, when he did not want to go. I made him getup, shower, and dress for the business day. I definitely wish I would have lost that argument and let him take a sick day. But I won. So basically, I lost everything and he lost his life.... The morning of September 11, 2001 we took the subway to work. We said, “dinner later”... and I went to work in my tower and he in his. That is the last time I saw him alive. I can still see what he was wearing.... I got Scott the job at Cantor Fitzgerald, I knew people in the Human Resources team when I worked there one year before, and told him not to leave when he received offers to do so. He trusted me. In the end, I could not protect him. Running from the burning towers and falling debris, all I wanted was to bump into him. But I felt empty, like I knew he was gone. He was in Heaven.

Declaration of Lori Schertzer, ¶¶6, 7, 9, 12.

FAMILY OF HAGAY SHEFI

218. The **Estate of Hagay Shefi** is represented by 9/11 Decedent Hagay Shefi’s surviving spouse,

Sigal Shefi-Asher, who is a resident of Kiryat Hassivionim, Israel. Hagay Shefi graduated Magna Cum Laude with two academic degrees. He was also voted and awarded the “Most Distinguished Cadet” in officers’ training school in the Israeli Defense Force (“IDF”). At the time of his death, Hagay Shefi was a partner in a new business venture, GoldTier Technologies, Inc. a computer software company, with offices in New Jersey. On September 11, 2001, Hagay Shefi was attending a conference being held at the Windows on the World on the 106th floor of the North Tower, WTC. Hagay Shefi called his wife at 9:04 a.m. to say goodbye. Declaration of Sigal Shefi. His body was found on Saturday, September 15, 2001, intact and whole.

Declaration of Sigal Shefi, ¶¶5, 12.

Category A -- Immediate Family Members

219. Plaintiff **Sigal Shefi-Asher a/k/a Sigal Asher-Shefi** is a resident of Kiryat Hassivionim, Israel, and the surviving spouse of Hagay Shefi. Sigal Shefi is an Israeli citizen, prior to the attacks she and her husband were in the process of becoming U.S. citizens. Her U.S. citizenship was granted shortly after the 9/11 attacks. Shortly after the attacks, and before boarding a bus from New Jersey heading to New York to look for her missing husband, she realized that she did not have a will. She was concerned that if the terrorist struck again that she might die and her children would be left to flounder. Declaration of Sigal Ahser-Shefi, ¶8.

I spent the first year after 9/11 denying that Hagay had died. Every day at 8pm, that used to be the best time for our family, I could actually hear the door opening, actually hear it. And not only me, the children too. Each and every day, we felt as if Hagay was coming home. I did not open envelopes. I did not pay the bills in a timely manner for a whole year, this was part of Hagay’s tasks, and I kind of left it as it was, but Hagay was not there to take care of it. In November, on Thanksgiving night, I heard knocking on my door very late at night around midnight. I was afraid to open it. I asked, “Who is there?” They were calling from the collection agency to collect Hagay’s car because I did not pay the bills. I felt like I was in a frightening movie. I still did not open the door. I was alone with my children. I said to them, “We will deal with it in the morning. I do not want to do it in the middle of the night.” I was very frightened because I saw that it was

two big guys. I felt like I was a criminal because I did not pay the bills. Hagay was in charge of paying the bills. I did not pay the bills for the whole year. I called a friend to come in the morning and I paid everything that needed to be paid. I was not doing things properly, but I could not do it without any help, it was all new to me, and it was important for me to focus on the children's schedules and routine, so they would continue to do whatever they needed to do. Their routine was the thing I stuck to. I was obsessive about it. Since there are many attacks in Israel our sense of safety was shattered. We felt safe here in a way that we did not feel in Israel, the wheel turned upside down, we were attacked on the ground of the most power (sic) country in the world. We could not feel safe anywhere anymore. When he died I felt I could not even look in the mirror, because when I looked in the mirror it was a sharp acknowledgement that I was alone. I missed him so much.

Declaration of Sigal Asher-Shefi, ¶¶14, 22, 24.

220. Decedent Hagay Shefi is survived by a minor child, **Roy-Yetkutiel Shefi a/k/a Roy-Jekutiel Shefi**. Roy-Yetkutiel Shefi is a natural born citizen of the United States.

Roy was five years old. It was the first week of kindergarten. When Roy was in elementary school, it was very hard. Keeping the kids in a routine became my goal, my obsession. I wanted everything to be ordinary. Something was wrong with Roy but I did not let up and it was not good for him. I did not listen to him because I was thinking it is better to act "normally" not letting the fact that Hagay is gone being an "excuse", I thought it would be better but I was wrong. I convinced myself that he needed to meet all of his obligations because I did not want him to grow up with self pity. But it turned out that he had a real problem. He has ADHD. When Roy was at third grade, I took him to a person to determine what was wrong with him.... She did not advise me to have him reevaluated again to be sure or signs to look for. I did not have a clue what to do and when Roy went to school he really suffered.

Declaration of Sigal Asher-Shefi, ¶19.

221. Decedent Hagay Shefi is survived by a minor child, **Naomi-Ruth Shefi**. Naomi is also a natural born citizen of the United States of America. Her mother, Sigal states in her Declaration: "Naomi went through a stage a few years ago. She said, 'I wish I could live my life again.' She told me she hated this life and that, 'I wish I could do it again. I would not lose my father.' She really meant what she said and once she showed me how she had written things like this in her diary." Declaration of Sigal Asher-Shefi, ¶22.

222. Decedent Hagay Shefi is survived by his father, **Dov Shefi**, a citizen of Israel.

Up until the darkest day of my life, September 11, 2001, my wife Esther, my two sons Yishai and Hagay, our only daughter Pazit, and I were a most happy family. When the kids were young children we used to take them to the sport club near our home twice a week. Every holiday we used to go on a family vacation. We would visit places all around Israel for several days exploring and spending quality family time together. We celebrated the birthdays of our kids every year even as they grew older and celebrated all of the Jewish holidays together with special holiday dinners. We celebrated both our sons' Bar Mitzvahs when they reached the age of 13. And even when the kids did not live at home anymore, we used to meet every Saturday noon for a family Shabbat lunch. After the loss of my son, I was emotionally distressed and I ceased immediately to work as an independent lawyer. I stayed at home for long periods. I did not want to see people except for my family. ... Due to the loss of my beloved son, Hagay, I suffered several breakdowns. I was hospitalized more than three months in "Clalit" Mental Day Hospital for treatment in Ramat-Gan near Tel Aviv, chaired by Professor Nathaniel Laor. This occurred after many private visits at Professor Laor's private clinic. As a result of 9/11, I have been proscribed antidepressants; the doctors feel that this will continue until my death. I still go to therapy regularly. My life was totally ruined. My wife and I were once very social. Since the murder of our son, however, we have ceased hosting parties and receptions nor do we accept the many invitations we receive to take part in events and receptions.

Declaration of Dov Shefi, ¶¶4, 11.

223. Decedent Hagay Shefi is survived by his mother, **Esther-Rivka Shefi**, a citizen of Israel.

On September 11, 2001, my life changed 180 degrees. Instead of having a happy family, we turned into a grieving family. The moment we discovered that Hagay was in the North Tower of the World Trade Center it felt that the heavens had fallen on me. I lost the ability to laugh. Now I cry. Our family had lost our happiness. A black cloud covers our lives. I dream of, think of, and weep for Hagay almost every night and on any occasion because I remind myself of all of the events with my beloved Hagay.... Since 9/11, I work not to cry in public as much as possible.

Declaration of Esther Rivks-Shefi, ¶¶9, 15.

224. Decedent Hagay Shefi is survived by his sibling, **Yishai Shefi**, a citizen of Israel.

Hagay was a small baby during the Six Day War and I remember every time there was a siren indicating the possibility of a nearby bombing I helped my mother carry his blanket and food as we ran with him to the bomb shelter... I, even as a small child, felt responsible for Hagay's safety as he was such a little baby.

My specialty was writing music for theater plays. My tools for writing music are the ability to be connected to your heart and emotions. There is no warehouse from which I can transfer products and sell them. I have to invent everything from scratch every time from the beginning and middle and end. The only way I know to do it is to trust my feelings and emotions. A broken heart left me empty. No experience or skill will help me do the job. Since the day of 9.11.2001, I have not worked as a music composer for the theater. I have only edited a few (about 4) musical sound tracts – using music from other musicians recordings. Music composition is the only thing I know and I cannot work in any other job.

Declaration of Yishai Shefi, ¶¶4, 11.

225. Decedent Hagay Shefi is survived by his sibling, **Pazit Baum Shefi**. She explains:

Hagay was my younger brother. He was younger than me by seven years. When we were younger I took care of him a lot, in particular when my parents were abroad which happened a few times a year for periods of seven days to a few weeks.... We kept in close touch after we left our parents' house and this did not change when Hagay moved to work in the United States. From that point on, for about five days he was not accounted for. During those long days, I was unable to function. My son, being four years old, did not understand what was going on, and I did not want to involve him before things were clear, until we knew the fate of my brother. I was under tremendous stress and could not digest the news, nor could I understand the implication of it. When the family was informed that his body was found, I could not deal with this information and refused to accept it. I could not handle the situation and felt that my entire world was collapsing. At times I even considered committing suicide. Due to my mental state I had to quit a new job. I started a job eleven days before, on the 1st of September. For a year my overall well being, physical as well as emotional, was very bad and I spent many hours a day in bed, and I was not able to function.

Declaration of Pazit Baum, ¶¶4, 8.

FAMILY OF PAUL K. SLOAN

Decedent Paul K. Sloan worked on the 89th Floor of the South Tower of the WTC. His father, Ronald S. Sloan, was a plaintiff in Havlish both as the Personal Representative for the Estate of Paul K. Sloan, and individually. 9/11 Decedent Paul K. Sloan's mother, Patricia Sloan, sister, Sarah Funk, and brother, Matt Sloan, are all Plaintiffs in this case.

Category A -- Immediate Family Members

226. Decedent Paul K. Sloan is survived by his mother, **Patricia Sloan**, who is a citizen of the United

States and a resident of the State of California. In her Declaration, Patricia states:

... Ron and I and Matt and Pete, our other two sons, drove across the country [from San Francisco], straight through, to New York City. We had no idea what to expect. It was hell. We simply had to get there.... We drove non-stop across the country and arrived on Sunday. I still do not cope well with the loss of my son. Images and memories of September 11th are always there in the media. It is impossible to shield yourself from it. It's like a scab that keeps getting pulled off. Paul was a wonderful human being and his death was a waste. He had a great, bright future ahead of him. There was so much possibility there that will now never be realized. Is there any parent that wouldn't choose death first for himself before one of his children? It is not part of God's natural order for a parent to bury a child. My husband and I remember Paul every day. We thank God he was given to us for his time here on earth.

Declaration of Patricia Sloan, ¶¶7, 11.

227. Decedent Paul K. Sloan is also survived by his brother, **Matt Sloan**, who is a citizen of the United States and a resident of the State of California. Please refer to the Declarations of his mother and sister, in folders 226 and 228.
228. Decedent Paul K. Sloan is also survived by his sister, **Sarah Funk**, who is a citizen of the United States and a resident of the State of New York. Of the 9/11 attacks, Sarah Funk writes:

I continued to try to reach my brother Paul, finally getting through to him. He was still in his office. Apparently he had been told not to leave. He was clearly in a state of shock. He also told me that he was looking out his window and he could see people jumping from the other Tower. I began crying. At this point I lost connection with Paul. My brothers, Matt and Peter came to New York in October 2001. Together, the three of us cleaned out Paul's apartment and picked up his clothes from the dry cleaners. We took care of things that no one should ever have to do for their 26 year old brother. I have found that there's always something, some little bit of information that I didn't know before or some artifact of Paul's that is discovered. For instance, because I lived so close to New York City, I dealt with many of the loose ends stemming from Paul's death. My name was listed as the contact person for Paul. As recently as a few weeks ago, I received a check for \$800 made out to Paul for some profit sharing plan in which he was involved. It sounds innocuous enough to receive a check in the mail, but it's truly crushing for me to receive something when I least expect it with Paul's name on it.

Declaration of Sarah Funk, ¶¶6, 11.

FAMILY OF GEORGE ERIC SMITH

9/11 Decedent George Smith worked for SunGuard. Although he did not have a wife or children, he is survived by a large family. Twenty-four (24) of George Smith's surviving relatives are Plaintiffs in this case. The Estate of George Smith itself was a plaintiff in Havlish case, represented by the Decedent's half-brother, Raymond A. Smith. Raymond A. Smith is also an individual plaintiff in this case. George Smith's father, Raymond Smith, was a plaintiff, individually, in Havlish. In this case, he appears as the Personal Representative for the estates of his mother, Marion Thomas (George Smith's grandmother), and his daughter Deborah Sallad (George Smith's sister), both Plaintiffs in this case.

George Smith was raised by his paternal grandmother, Marion Thomas. Four Plaintiffs in this case are George Smith's full siblings; six are his half-brothers and half-sisters, who share the same father. Declaration of Raymond A. Smith, ¶4. The rest of the Smith family who are Plaintiffs in this case are cousins and nieces and nephews. Because these individuals did not have mothers or a father who provided them with a stable home, Marion Thomas was the only mother figure in their lives. The evidence presented from each of George Smith's surviving relatives, when read together, reveal how each person was the functional equivalent of a nuclear family member in George's life.

Category A -- Immediate Family Members

229. Decedent George Smith was survived by his sibling, **Deborah Sallad**, who died on February 9, 2010. Their father, Raymond Smith, is the Personal Representative of her estate. Deborah Sallad was the full sister of George Smith. They were raised by their grandmother, Marion Thomas, after their biological mother died when they were young children. Troia Johnson explains the relationship between her mother, Deborah Sallad, and her Uncle George: "She was

George's older sister. She took care of him when they were little. Their mom was not around much and then she died. Even after they went to live with their grandmother, they remained very close." Declaration of Troia Johnson, ¶4.

Deborah Sallad is survived by five children who also lived in the same home with George Smith and Marion Thomas. Deborah Sallad's children are Plaintiffs in this case as well: Martin Smith, Troia Johnson, Tawanda Smith, Danielle Smith, and Diane Smith. All lived for a period of time with their great-grandmother, Marion Thomas, and as a result they spent much of their childhood with George.

Each of Deborah Sallad's children explains how the death of George on September 11, 2001, affected their mother:

For my mom, she was not the same. She was not her upbeat self anymore. She was not as talkative as she normally was, and she became very depressed. After the tragedy, my mom became anti-social. I noticed she lost a lot of weight. At the time, she was dating some guy, and they broke up because he said he could not take all of her crying. She no longer enjoyed her day-to-day routines like she used to. She told me one time that her whole perspective of life was different after George died. I know my mom went to therapy after George was killed. She was also prescribed medication for her severe depression. I remember when he used to come over to our house when I was young. He and my mom would laugh and talk for hours about everything. My mom told me once after my Uncle George passed away that if she could have anything in this world she would get her brother back because he was special to my mom and her life would never be the same. She said a piece of her died with my Uncle George.

Declaration of Martin Smith, ¶¶7, 10.

My mom changed a lot after 9/11. I noticed she was crying more. She seemed upset all the time. I was fifteen when my mom passed away. She was depressed when I saw her, but I was not around her a lot. I was sent to a boarding school in Hershey, Pennsylvania when I was nine. It was too hard for my mom to take care of me.

Declaration of Troia Johnson, ¶8.

... mom was really heart-broken because she still had not heard from George, and no one had recovered his remains at the site. I watched her decline. She just

seemed distant before George died she was very attentive to me and my sisters needs. It is not that she did not want to be with us. I know she wanted to be like she was before, but she could not do it because in the back of her mind, she was always thinking about him. Around October, my sister and I were going on respite weekends with a foster family so that my mom could get a break. She needed one because of how bad the situation was. I finished out fifth grade and none of Uncle George's remains had been found. Around the beginning of seventh grade my mom could not take care of us any longer.

Declaration of Tawanda Smith, ¶8.

Danielle Smith testifies similarly:

When I was little, my mom and I lived with her grandmother, Marion Thomas. My mother, Deborah Sallad, was George's older sister. George lived there with us also. I was worried about my mom and about my Aunt Christine and my papa. Everyone was emotional and my mom was devastated. I was sad and lonely. I have heard my mom cry, but never like that and I was too far away to help.

Declaration of Danielle Smith, ¶¶4 8.

Diane Smith describes her mother similarly:

After Uncle George died, my mom was too out of it to take me back to live with her. After 9/11 she got quiet. She always had an issue with depression, but when my uncle died she got worse and worse and she was unable to get her old self back. She was withdrawn and she did not care about her appearance. She was a wreck....I wanted to know what was wrong and no one would tell me. Then when I overheard adults talking, she did not lose her mind exactly, but she was different after George died. She was like a zombie.

Declaration of Diane Smith, ¶6.

230. Decedent George Smith is survived by his sibling, **Christine Jackson**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania. In her Declaration, Christine Jackson explains her large family:

My mother, Georgia Lee Jackson-Smith, gave birth to five children with my father, Raymond Alexander Smith. I am the oldest child and was born in 1960, followed by Deborah, George, Elaina and Carl. Our mother was young and was running the streets at night. My father left the family and moved to New York, where he had a relationship with another woman and had five children. Our maternal grandmother, Ms. Jackson, tried to take care of us but it was too much for her. Elaina was placed with a family that lived two doors down from us ... in

North Philadelphia. Carl was placed with another family in the neighborhood. These families were not relatives of ours, but we treated each other as family. My mother was killed by a stray bullet in 1972 and Ms. Jackson also died. Deborah, George and I were left in our home by ourselves with no one to care for us. A neighbor called our paternal grandmother, Ms. Thomas, who was living in Phoenixville, PA. She took us into her home and raised us. She had a three bedroom house. I shared a bedroom with Debbie and George had a room of his own.... After I graduated from Phoenixville High School, I returned to Philadelphia to locate my sister and brother. I spoke to the elders on our old block and was able to locate Elaina and Carl. Elaina had also been looking for us. When the five of us were finally reunited, it was a very emotional moment for all of us.

Declaration of Christine Jackson, ¶¶4, 5, 7.

Christine Jackson also describes the loss of George on September 11, 2001:

George traveled a lot for work because he was a consultant for his company. I didn't realize that his particular client on 9/11 was located in the World Trade Center. It was a total shock to me when I learned that George may have been a victim of the attacks. I was watching the 9/11 coverage like most other Americans that day. I was speechless when I learned that my own brother was there.... It was about a week before we realized that he did not escape from the South Tower. Randy James, who worked with George at SunGard, spoke to George during the attacks. The intercom in the South Tower was broadcasting for people to remain at their desks, but Randy told him to leave. Randy spoke to our grandmother in person to tell her that George did not escape after he had contacted hospitals in New York. I did not do well in the immediate aftermath of 9/11. I was in and out of the hospital because I had fainting spells and severe anxiety attacks.... I sought counseling after 9/11, but it did not help me. I had to let the feeling of George's loss gradually wear down on its own. Ten years later, the feeling of loss has not completely left.... The hardest part for me is wondering what George went through that day. Sometimes, I just can't get it out of my mind.

Declaration of Christine Jackson, ¶¶10, 11, 15, 16, 17.

231. Decedent George Smith is survived by his sibling, **Elaina Smith**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania.

My father, Raymond Alexander Smith, gave birth to five children with my mother, Georgia Lee Jackson-Smith. George was born in 1963 and was the third child. I was born in 1964. I was premature, and I had to stay in the hospital until I reached 5 pounds. My mother was young and I was her fourth of five children. She sometimes wouldn't come home at night. My maternal grandmother, Ms. Jackson, tried her best to look after the five of us but it was too much for her. I was placed in the care of our neighbors two doors down from our home. They

were not family by blood, but the Smiths treated them as family. My mother was killed by a stray bullet in 1972, and my father was living in Albany, New York at the time. When our maternal grandmother died, a neighbor called our paternal grandmother and told her that my three older siblings ... were living by themselves. My paternal grandmother, Marion Thomas, became the matriarch of the family. Her home on Grover Street in Phoenixville, Pennsylvania was really the family home. She raised Christine, George and Deborah after our mother and maternal grandmother expired. After my oldest sibling, Christine graduated from Phoenixville High School she came to Philadelphia because she was told that she had a brother and sister there. That was how my mother's five children became reunited. When I was 19, I moved into Ms. Thomas' home in Phoenixville. George was 20 at the time and had already graduated from Phoenixville High School, where he ran track and played basketball. This is when I really began to develop a relationship with my brother. We talked about our future goals and dreams ... George said that he wanted to travel and he did eventually go to China, Japan and Africa. I would ask George if he wanted children. I had 1 child and another one on the way. Our sister Christine had 1 child. Our sister Deborah had 2 children. George would tell me that his sisters had enough kids for him to look after. He jokingly called his nieces and nephews "the little critters". My husband was in the military and told me that jet fuel "burns forever." Randy James, a business partner of George's at SunGard, spoke to him on 9/11. George told him that he saw fire and that the stairs were splitting. George then said that he saw a woman in a wheelchair above him and was going back up the stairs to help her. The line went dead. I called Randy myself because I needed to hear George's last words. About three weeks after 9/11, I was lying on my couch in a half awake/half asleep state. I saw George wearing a green suit with a crooked tie. He was covered in cement dust. He kept repeating, "I'm sorry, I'm sorry" while he was squeezing the third and fourth fingers of my hand. I could not think of anything that George had to be sorry about. I thought that he might be sorry that he had to leave us. I told George that I forgave him and I never saw him again. After this, I decided to seek counseling. I went to some individual and group therapy. I eventually checked myself into a facility at Valley Forge for inpatient treatment.

Declaration of Elaina Smith, ¶¶4-8, 11, 15, 16.

232. Decedent George Smith is survived by his sibling, **Carl Smith**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania.

Our family is really big and complicated with lots of siblings. There are five of us that have the same mother and father. It was me, George, Christine, Elaine and Debbie that are full siblings. We all lived with our grandma during a lot of our youth. They lived with her longer than me.... We also have a lot of half siblings from other mothers; Latricia, Korry, Kevin, Barbara, Raymond, Jr. and Tanya. After 9/11, my mind was not fully into my business because I was thinking about

my brother and how he died ... I lost business. Even right now, I still cannot do what I did before George died. I still feel depressed. I always think about my brother.... When I lost George, I saw a therapist in Philadelphia.... I did not have medical insurance to pay for this, so I paid for it myself.... The doctor gave me Xanax. I took it for awhile. I do not take it any longer because people can get addicted to that. If you get addicted then you got another thing that is going to hamper your grieving process and capabilities of doing things in general life and I did not want that.... When George was killed I was in a serious relationship. I am no longer with her. I think my emotional state after 9/11 probably damaged our relationship, because I was not by old self after that. I was happy and hard working before 9/11. It was another me after 9/11. George and I had a close connection. We talked a lot. We would go out and play basketball and talk on the basketball court. We shared a room so we talked there too. Sometimes at the dinner table we talked. He advised me on things. I was boxing then and he would come to my fights to support me ... As kids living with our grandmother we used to go around the corner and play basketball As kids we spent a lot of time at the rec center We would also go to the park and play. It was just me and him and we would play another two-man team. George was funny in his way, but he was a serious individual. We would talk and stuff. I was going to school at the time. He would help me get my schoolwork done I became a professional boxer. I was in the junior middle weight division. George always encouraged me As adults, we remained close. We used to go out to shows. When he would come down, I would meet him. My sisters, Christine, Elaine and Debbie and me and George would all get together and go out to dinner and have outings together Now, me and my sisters go out to George's gravesite together and pay our respects. We go to the 9/11 memorials in New York too.

Declaration of Carl Smith, ¶¶6 8, 9, 10.

233. Decedent George Smith is survived by his half-sibling, **Tanya Warren**, a citizen of the United States and a resident of the State of New York. Tanya explains:

We are a large and complicated family, my full siblings are Raymond Smith, Jr., Barbara Hargrove, and Korry and Kevin Smith, who are twins. George and I had different mothers and the same father, but he was only a few months older than me. But we never called ourselves or separated ourselves as half-sisters and half-brothers. We were just brothers and sisters. When I was pregnant with my first daughter we all lived together at our grandmother's house. I kicked [George] out of his room so I could have that room and his bed so I could be comfortable ... My grandmother always had us in church and we had a little car. There were seven people and we had this little Toyota Corolla. George would drive half of us to church and then he would go back and get my dad and my grandma [George] drove me wherever I had to go, even when I had my babies. My first born, Vanessa, knew George well, because we took his bedroom. Even when I left Pennsylvania to come to Buffalo, my daughter was there in Pennsylvania with

grandma and George would check in on her regularly.

Declaration of Tanya Warren, ¶¶5, 7.

234. Decedent George Smith is survived by his half-sibling, **Barbara Hargrove**, a citizen of the United States and a resident of the State of New York. Barbara states in her Declaration:

George was my older brother, he taught me at a young age how to play basketball.... We spent a lot of time on Grove Street playing in the street, kickball and stickball. We would watch movies. I did not like scary movies so I would sit next to him in a scary movie and hide. His room was right next to mine, so he would have to protect me at night. We would sit around at the table and play games like monopoly. We had a lot of good times together and I am glad to have such wonderful memories. 9/11 made it hard to function. I became claustrophobic for a while; I was not able to enter small enclosed areas like elevators. I would take stairs.... I was also very apprehensive about going into skyscrapers. I was worried about going into tall buildings where there was no way out. This went on for years. I was depressed and I had trouble sleeping. I did not take anything, because I am not one that likes to take a lot of medication. I spent a lot of time walking the floors, praying and just relying on God to fix it.

Declaration of Barbara Hargrove, ¶¶9, 11.

235. Decedent George Smith is survived by his half-sibling, **Kevin Smith**, a citizen of the United States and a resident of the State of New York.

I would go to George for advice when I was having employment problems or I was having school problems.... And he would say, "... Just keep getting your education." That kind of stuck in my mind, so I got my education, I got a decent job. George was always available to give me advice; every time I needed it.... George was the most successful member of our family at the time. He held the world together... I felt like; if he can do it, I can do it.... Instead of going the other route and doing other things [George] was definitely an example of what I wanted to be. I am still proud of him to this day.

Declaration of Kevin Smith, ¶9.

236. Decedent George Smith is survived by his half-sibling, **Korry Smith**, a citizen of the United States and a resident of the State of New York. In Korry's words:

Sometimes I want to put things to rest and be done with 9/11. But I have to deal with it every day. Every day I think about how my brother died. Every day I remember that he is not here. We have to heal. It is hard to be reminded every

year that your loved one is not coming home. It is tough. It is not only tough on me but what about my children, what am I going to tell them and how are they going to deal with it. Dealing with that also means teaching our children how to deal with tragedy....How am I supposed to explain to them that their Uncle George went to work one day and was murdered for being good?

Declaration of Korry Smith, ¶10.

237. Decedent George Smith is survived by his half-sibling, **Latricia Smith**, a citizen of the United States and a resident of the State of New York. She writes:

I was much younger than George. My dad had a lot of kids. When I was young, I lived with my mother and a half brother, Andre, who is not related to my other siblings. I grew up in Albany, New York with my mother. George was the third oldest, and I am my father's ninth child I think. When I first met all my sisters and brothers, I was maybe seven or eight years old.... I always felt so much younger and so much smaller than George.... I lived in Albany my whole life, but I loved it when I got to visit my grandmother and my father and my siblings ... George would say to me, "Come on, sis. You want to go to the store?" We would walk to the corner store together and he would get me whatever I wanted and it made me feel special.... Anytime I went to stay with my grandmother to visit my dad, George would let me sleep in his room. His bed was so big because he was so tall. I do not know why my dad waited so long to introduce me to the rest of his family.... I still keep in touch with all my sisters. I thought it was amazing that I had twin brothers.... We did not have any part in how our family came about, so we might as well enjoy each other and be family. They took a beautiful person. That is the one thing that hurts my heart the most. I would love for George to be a part of my children's lives and my life.

Declaration of Letricia Smith, ¶¶4, 10, 11.

238. Decedent George Smith is survived by his half-brother, **Raymond A. Smith**, who is incorrectly named in the Hoglan complaint as "Raymond Smith, Jr." Raymond A. Smith is the Personal Representative of the Estate of George Smith in Havlish. He is a Plaintiff individually in his own right in this case. Raymond explains:

George was my half brother; we have the same father, but different mothers. He was only two years older than me. We lived together as children, first with our grandmother, where we shared a room when I was in the fifth grade and we lived all through Jr. High and my first year of High School when George ... left to go to school at Allentown College. We also lived together as men for two years in our Grandmother's home.... I have a lot of siblings. While we all share the same

father, not all of us share the same mother. My siblings were: Christine, Deborah, George, Elaine, Tanya, myself, Barbara, Kevin and Korry who are twins, Latricia and Carl. George, Deborah, Christine, Elaine and Carl all had the same mother and they all lived with my grandmother. My mother is Barbara Miller and my full siblings are Tanya, Barbara, and the twins. [On 9/11] I realized I had missed some phone calls and it was my sister Debbie. I called her back and she said, "Are you watching this?" I said, "Watching what?" Debbie said, "It's all over the news, a plane flew into the building." I told her I thought it was not something real ... I do not know what I thought it was. Then she told me that George works there. I said I know but he usually is not there at that time. She told me she had been calling him and so we hung up and I got in touch with my dad and grandmother. I asked them the obvious question, did they know if George was in New York. Debbie kept calling his apartment in New York and his apartment in Pennsylvania and could not reach him. George's employer called two or three days later and confirmed to us that he was in the building when it was hit. My children know that everybody that died on 9/11 is an American Hero. They also know that their Uncle George was a giant of a man for our family long before he was an American Hero. I want the world to know how much we miss him. He is sorely missed. His flame went out way too early What was found of my brother is in Limerick Gardens. A femur bone is all that was found.

Declaration of Raymond Smith, Jr., ¶¶4, 12, 15.

Category B – Functional Equivalents of Immediate Family Members

239. Decedent George Smith was survived by his grandmother, **Marion Thomas**, who died after September 11, 2001. Her estate is a Plaintiff in this case, represented by her son Raymond Smith, a citizen of the United States and a resident of the Commonwealth of Pennsylvania. Plaintiff Marion Thomas was also a Plaintiff in Smith v. Afghanistan where she was found to be the functional equivalent of a mother to George Smith, who she raised alongside her other grandchildren and great grandchildren. However, the judgment in Smith v. Afghanistan was vacated on other grounds. Smith ex.rel. Smith v. Islamic Emirate of Afghanistan, 262 F. Supp. 2d 217 (S.D.N.Y. 2003), amended 2003 WL 23324214(S.D.N.Y.MAY 19, 2003); see Memorandum at p. 23.

Raymond Smith states in his Declaration:

When George was killed, you could see the life come right out of our

grandmother. It took her a while to even get her skin color back and she was not in the best health even before 9/11.... Even people who did not know my grandmother could look at her and tell that she had lost somebody that was real close to her. She had a look about her; it was obvious that something was wrong with her. She died about two years after George was killed. After 9/11 happened, it fell to me to look after our grandmother and our father.

Declaration of Raymond Smith, Jr., ¶¶10, 11.

In her Declaration, Barbara Hargrove states:

I kept lifting up my grandmother and lifting up my father emotionally.... My grandmother was sick, and she was very close to George. I think she gave up hope for herself. Unfortunately, the deaths of George and my grandmother have splintered the family.

¶¶6, 8 Declaration of Barbara Hargrove.

Korry Smith testifies:

George took such good care of our grandmother, Marion Thomas. He lived with her and helped with the upkeep of the house and yard and he made sure she had money.... George was a business analyst. He loved his job. He was making 80,000 dollars a year. He was the man! He could send money back home to my grandmother and to my father. Out of all the family George was the best. Everyone was really proud of him. My grandmother was a God fearing person. She was strong. She and George had a special relationship. She was very devastated by his death and I think she did not really want to go on after that. After George had passed, Granny died inside....

Declaration of Korry Smith, ¶¶5, 7.

Lisa Wood Smith states:

George was a very charitable person. He did charity work. He worked for his church. He took care of grandmom. She was his main concern. She raised him and she took care of him. And when he was able to, whatever she needed, he got for her. She did not go without anything while he was living.

Declaration of Lisa Wood Smith, ¶8.

240. Decedent George Smith is survived by his nephew, **Martin Smith**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania. Martin Smith is the son of Deborah Sallad, the full sister of Decedent George Smith, now deceased.

When I was young, my mom, my sister and I were staying with my grandmom, and that is also where my Uncle George lived. During the time we lived together, I looked up to him because I never knew my own father. So he [George] was like a father figure to me. We went to the Dogwood Festival together, swimming at the YMCA, and he took me with him to watch him play basketball. He helped me with my homework, and I loved him for being there for me. He also taught me to write my name. George would babysit me and that is when he would teach me to play basketball and he would take me to some of my peewee league football practices and games. He bought me my first pair of football cleats and took me school shopping several times. George also awarded me money at the end of the school year if my grades were up to par. As a matter of fact, Uncle George used to give my mom a couple of hundred dollars to help her with her bills and things since she was a single mother. When I first learned my Uncle George was a victim, I asked God why he took my uncle. He was a good guy. He never hurt anybody that I know of. He stayed out of trouble, was successful, and he was my role model and for the time that we lived at my grandma's together he was like a father to me. After the attacks and my uncle being a victim, I found myself questioning God. The only people I have spoken to about my Uncle George dying are my mom, my girlfriend, Maria, and my therapist. But I have never gone into detail because it hurts to remember such a tragedy.

Declaration of Martin Smith, ¶¶5, 9.

241. Decedent George Smith is survived by his niece, **Danielle Smith**, a citizen of the United States and a resident of the State of North Carolina. In her Declaration, Danielle Smith testifies:

When I was little, my mom and I lived with her grandmother, Marion Thomas. My mother, Deborah Sallad, was George's older sister. George lived there with us also. That is when we were staying on Grove Street. I am the oldest of my mom's five kids. I lived with my Uncle George until I was about 10 when he moved out on his own.... George and my mom took care of each other. They had a hard time when they were little and because of the relationship they had, George was special to me. My dad was not around, so George would watch me while my mom worked.... Sometimes we watched Sesame Street. George was into books, He loved to read. He made sure that my brother and I did our homework and he made sure that we ate. When I was eight, I was raped. My whole family tried to find the guy, and when it came out that it was a friend of my great-grandma he got kicked out of the house. Later on they told me that he died. George helped to figure out who had done this to me and he would sit down with me and let me know that it was not my fault. He would try to get my mind off of it. He would make cookies. Sometimes he would just sit and talk to me and everything. He helped me not to be afraid. When I was 16, after George had moved out, I was shot in the stomach and had to have around eight surgeries. Now I have stomach problems. I have been diagnosed with schizophrenia, depression, ADHD and PTSD. The doctors do not know if it was from being shot or from the rape. But

9/11 made my symptoms worse. I did not admit to having problems until I was about thirty.

Declaration of Danielle Smith, ¶¶4, 5, 6.

242. Decedent George Smith is survived by his cousin, **Raymond Wood** (incorrectly named in the Complaint as “Raymond Woods”), a citizen of the United States and a resident of the State of North Carolina. Raymond Wood explains his relationship with the decedent George Smith:

When we were young, George and I lived together with our grandmother, Marion Thomas. George was three or four years older than me.... Back then they threw everybody in the tub at once, so we even bathed together. When he lost his mother, he grieved her fairly bad. His mother was shot very dramatically in Philadelphia. So he could not sleep by himself, and that is why I spent time with him because my family lived close by. I moved in with my grandmother, so George would have somebody there with him. The way in which he lost his mother impacted his life so much. So, we were very, very close. I slept in the same room with him for at least a year. Afterwards, I stayed there frequently on weekends. We literally, grew up together with our grandmother taking care of us all the time. We always laughed, and we loved just hanging around our grandmother’s house and doing for her and caring for her. We had a great childhood. George was hit by a bus when we were young and it knocked out four of his front teeth.... If I am not mistaken, they had to put a plate in. My grandmother worked hard and spent her money and helped him get them fixed. He really loved her and did everything he could for her his whole life. She was like his mother. I was the oldest boy in my immediate family, but I felt like George was my older brother. I looked up to him, and he had a positive influence on my life. He was always positive. Even when we moved south, he always came down and visited. We were always very close. He got into the business world first. He traveled to Japan and different places, and I aspired to be like him. I wanted to do some of the things he did. He was a good man. I do not care where he was, he always took care of my grandmother. So I would always try to outdo him. Every time I went to see her, I would bring her a dozen roses. He would bring her fifteen. So we would go back and forth on what we could do to top each other, because we loved her so much. We competed about who loved her the most and who did the most, but in a good healthy way. She was a special woman, to say the least. Even though he lost his mother in a very traumatic way, he was able to overcome that in his life. George cared about people and seeing people live their life with happiness. That is what he was about. He had challenges just like every other human being, but he was always very positive in life. That impacted the family. He was a caregiver, too. He always took care of his brothers and sisters, no matter what, and there were lots of brothers and sisters. He did whatever he could financially to help his brothers and sisters. That is why he is unique in this family. Financially, he was the most successful of

his brothers and sisters. George was very driven and focused. He went all the way through high school and college then he got into accounting and some financial service things. He loved life and he loved to travel. He received a lot of love from his grandmother, as I did. Because someone took care of him in the midst of his situation, George always wanted to give to someone else.

Declaration of Raymond Wood, ¶¶4, 5, 7, 8, 10.

243. Decedent George Smith is survived by his cousin, **Scott Wood** (incorrectly named in the Complaint as “Scott Woods”), a citizen of the United States and a resident of the State of North Carolina. He writes of his childhood being raised with George:

In the early part of my life I spent my time at my grandmother’s house with George. I was there, I would say half of my life until I was about ten or eleven years old. We are around six or seven years apart in age. George was a teenager when I was six or seven. He lived with my grandmother and me when I was there. And then later, after we moved to North Carolina, I spent summers and holidays at my Grandmother’s [house] where George lived. I found out a few days later that George might have been in the building. My uncle, George’s father, called.... It took some days and maybe a week before we found out for sure that George was working in one of the towers. From that point, it was a grieving process-not a worry and wonder process. I have lost my mother and my grandmother. I have lost a brother. The grieving process is really strong in our family. We have lost a lot of people. We were a real close family. I lost my mother when I was thirteen and I lost my brother when I was eleven. George dying hit me really hard. I was there when my brother died in a fire. It did take a toll on me because, I heard my brother screaming in that fire. I was there. Losing George in a fire sparked all of that up in my mind. I thought about that and all the loss that our family has taken and it caused me to question things I had believed my whole life.

Declaration of Scott Wood, ¶¶4, 5.

244. Decedent George Smith is survived by his cousin, **Lisa (Wood) Smith**, a citizen of the United States and a resident of the State of North Carolina. She writes of her childhood being raised with George:

George’s father, Raymond Smith, Sr. and my mother, Shirley Francis Smith Wood are the only two children of our grandmother, Marion Thomas. My mother is now deceased. My mother and father had 4 children. I was the only girl. My brothers are Scott and Raymond and Anthony. When my parents took in my grandfather, they sent me to live with my grandmother [Marion Thomas], because I was their only girl. I was in the third grade when this happened. My cousins

George, Christine and Debbie were already living with our grandmother at that time, their mother died. My uncle had plenty of children. My mom only had four children, but my grandmother had 16 grandkids, so that tells you something. George and I were the same age. In fact, he loved to tell me that he was older than me because his birthday is a couple of weeks before mine.... We were in the same classes all through elementary school because classes were by last names. We were just like brother and sister. Basically when we were young, if you saw one of us, you saw the other one.... George and I were together until I was about 12, when my parents moved to North Carolina. That was in 1975. After that I continued to go stay with my grandmother every summer, for the whole summer. We looked forward to that. Every year, the day we got out of school I was on the bus going to grandma's.... One day walking home from school with him, he was hit by a car. I ran all the way home and said, 'Grandma! George is dead! George is dead!' It is funny now, but I was scared to death then. We were probably about ten.... So I was giving my grandmomma a heart attack telling what had happened and then George comes walking up the street behind me.... He did not have any broken bones, but he lost his two front teeth. They were adult teeth. He was well into high school before he ever got those teeth fixed.... My brother Anthony died in a house fire when he was 17. George was the first one who came to North Carolina to be with my family. He flew down and he stayed with us making all the arrangements for the funeral and everything. George would come down to North Carolina, to just hang out and grill out and party and stuff too. He would go back and forth to North Carolina, and we went back and forth to Pennsylvania to visit. We kept in touch even when we were grown-ups. When George moved to New York, he would let me know when he was going to visit grandma so I could schedule a visit to grandma at the same time. Also, when he was in New York, he would send me tickets to shows and stuff like that, and let me use his apartment so my companion and I would not have to come back after the show. My biggest thing is, not that people die.... What bothers me is how it affects the people that they leave behind. Because it hurts. The other people are hurting. Besides George, I have lost my grandmother, my mother, my cousin Debbie, one of my brothers and one of my daughters who died a couple of years ago in a car accident.... When I close my eyes I can see this thing that has been on TV over and over again. Also, the fact that, I know that there was this panic that George felt, because he was on the phone with his boss when the first tower went down. His boss was telling him to get out of there, and he could not.... So, knowing all this stuff I have got this picture in my mind of what he was going through....

Declaration of Lisa Wood Smith, ¶¶4, 6.

Category C – Other Functional Equivalents of Immediate Family Members

245. Decedent George Smith is survived by his niece, **Troia Johnson**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania. In her Declaration, Troia states:

My mom was Deborah Sallad. I think I was six almost seven when the attacks took place.... I was upset because my mom was upset. What I saw on TV was scary... It was too hard for my mom to take care of me. I had been in respite foster care before going away to school.... My mom used to call me on 9/11 when she was alive. I know she would be proud of me, I graduated high school and now I am in college, just like my Uncle George.

Declaration of Troia Johnson, ¶¶4, 5, 6, 8, 9.

246. Decedent George Smith is survived by his niece, **Diane Smith**, a citizen of the United States and a resident of the State of North Carolina.

I was in middle school on 9/11. I would have been 12.... During that time, I was living with my foster parents.... My mother, Deborah Sallad was George's older sister.... I had hoped that I would be able to get back with my mom. Before 9/11, there were talks amongst the adults that it was a possibility that my mom could take me back. We even went to court. I kept asking, "When am I leaving? When am I going home?" no one wanted to actually tell me that my mom was having problems.... Then when I overheard adults talking, she did not lose her mind exactly, but she was different after George died. She was like a zombie.... I wonder how life would have been different for me if 9/11 had not happened. Every 9/11 I light a candle and I say a prayer to George. For the longest time I hated 9/11.... I wanted to shout, "9/11, I hate you! You are the reason why my mom don't look at me."

Declaration of Diane Smith, ¶¶4, 5, 6, 10.

247. Decedent George Smith is survived by his niece, **Tawanda Smith**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania. Tawanda's Declaration explains how the decline of her mother [Debra Sallad], brought on my George's death, compounded her own emotional distress resulting from George's death on 9/11:

My mom was my everything. If I needed to talk, if I needed to vent, if I wanted to cry, if I wanted to throw a tantrum she was there. When 9/11 happened her attention and her priorities shifted overnight. Suddenly, I was away on weekends and our respite mom was looking into sending us away to summer camp. Those respite weekends turned into people trying to put us into a boarding school, because my mom wanted us to get an education. My sister was accepted, but I was not. My mom got worse and worse. She withdrew and did not spend as much time with me. She honestly tried to be a really active person. I still have a lot of her belongings, she had binoculars and books and she used to knit. She stopped doing stuff. She would start a hobby to keep her mind off of it, but it

would not stick. She stopped doing things and she did not want to do anything anymore. After the attacks, she held it together as best she could, but I could see that it was killing her inside. I know my mom was on medication but I do not know what medications. She had all of us in therapy. After 9/11, I actually was admitted to a mental institution because I was lashing out. I was angry because my mom was not the same.... I was a little disturbed as a child. I was looking for some attention. My mom thought I was trying to kill myself.

Declaration of Tawanda Smith, ¶¶8, 9, 10.

248. Decedent George Smith was survived by **Gail Smith** who married the decedent's father in 2004. Gail Smith is now deceased. A Suggestion of Death has been filed with this Court, and no estate has been substituted.
249. Decedent George Smith is survived by **Samuel Collazo**, a son of Gail Smith.
250. Decedent George Smith is survived by **Leonardo Collazo**, a son of Gail Smith.
251. Decedent George Smith is survived by **Gabriella Rinehart**, a daughter of Gail Smith.
252. Plaintiffs' Counsel has a Motion to Withdraw as Counsel for **Angela LeGrand** pending before this Court.

FAMILY OF TIMOTHY P. SOULAS

Decedent Timothy P. Soulas was employed by Cantor Fitzgerald on the 105th floor of the North Tower of the WTC. His surviving spouse, Katherine Soulas, was a plaintiff in Havlish individually and as the Personal Representative for the Estate of Timothy P. Soulas. 9/11

Decedent Timothy P. Soulas is also survived by his six children, Timothy, Andrew, Christopher, Matthew, Nicole, and Daniel, by his father, Frederick Soulas, and by his four siblings, Stephen, Frederick III, and Dan Soulas, and Michelle Soulas Donlan. These children, his father, and his siblings are Plaintiffs in this case.

Category A -- Immediate Family Members

253. Decedent Timothy P. Soulas is survived by his son, **Timothy P. Soulas, Jr.**, who is a citizen of

the United States and a resident of the State of New Jersey. Plaintiff Timothy P. Soulas, Jr.

states in his Declaration:

My dad was my role model and someone that I looked up to. He coached my sports teams, took care of me and was always there. He was a great dad. He was fun, outgoing, loving and always made sure we had the best life possible. He worked hard when we were young to make sure he could be there for us once we were a little older. He went into work early so that he could be home at five or six o'clock, early enough to watch our sporting events, or to coach, or to be there for dinner. He had to commute 40 to 45 minutes to work, but he still did it all.... It must have been hard for him to coach so many of our sports with so many boys, but I know it thrilled him also. He was the definition of "family comes first". My mom was a stay at home mom at the time. Since 9/11 our entire family dynamic has been very hard. A father-son bond was stolen from me and for a majority of my life I have felt like I had no one to turn to. We have many family problems, and each person in my family has gone through their own issues. It has not been easy. We are dealing with drug and alcohol abuse in our family and I think that has all been related to 9/11... I have not had the addiction problems that others have had, but it is always in the back of my mind that it could be me. Even though it was not me abusing alcohol or drugs, it is still difficult when you are dealing with a family member and someone you love. Mental health has been a tough issue for my entire family. I have had problems with terrible headaches. I have gone to therapy for the loss of my dad and more recently, I went because of problems in my personal and family life which I do not know how to deal with and still bother me and affect my everyday life. I am not happy and I cannot remember the last time I was truly happy. I think my family is on the road to dealing with these problems, and it obviously takes time. I try to remain hopeful about this but at many times it feels like it will never get better. My father has always been called the glue of our family, helping keep everyone together. When we lost him, we were lost. Nothing has ever been easy since losing him.

Declaration of Timothy P. Soulas, Jr., ¶¶11, 12.

254. Decedent Timothy P. Soulas, is survived by his son **Andrew Soulas**. In his Declaration, Andrew explains his feelings after his father was killed:

In the years following 9/11, the attention around my family was extremely overwhelming for me. Not only the media attention, but attention of friends and family as well. I was nine years old when this happened, and I just wanted to have a normal life. I wanted to be a normal nine year old boy. So my reaction to attention was extremely negative. When people would talk about the loss of my father, I would tense up, physically and mentally. I felt like air was being sucked out of my lungs every time someone mentioned 9/11. My father's death had an extremely profound impact on my life, in a mostly negative way. I do not believe

that any one person in my family dealt with the tragedy in a positive manner. However, how does one deal with this kind of loss, at such a young age, in a positive manner? Regardless, I do not feel that I coped with the loss of my father appropriately. I can say that only recently- within the past two years- have I fully come to accept that I am different, my family is different, and that we truly went through hell in the loss of our father.... The emotions that arose when 9/11 was discussed were too overwhelming for me to deal with.

Declaration of Andrew Soulas, ¶¶5, 6.

255. Decedent Timothy Soulas is survived by his son, **Christopher Soulas**. Christopher states:

I do not have many memories of my dad. One is not so good, and I do not know why I remember it. He left for work late one morning and I saw him. I ran out to hug him, but he did not see me. As I chased his car, he shut the garage door and I was locked out. I tried to get back into the house but it was six in the morning and I was stuck outside for around an hour. Another memory I have is from Halloween. We were trick-or-treating and we were just leaving the house. I did not know where my dad was. He was hiding behind the car wearing a huge scary mask and right when we walked out of the driveway he jumped out. It scared me and it was very funny. I remember that I used to try and trick him. We were driving in the car one time and I pretended that I was choking to death. I was holding my throat and I made my face turn red. I did this often and was good at it. He pulled over and got out of the car to help me and I started cracking up laughing at him. What hurts me most is that I have very few memories of my father. Life before 9/11 is a blur to me. My mom tells me stories, but I have no fond memories that I can recall vividly. On the day my dad died I was eight or nine years old. My brothers and I carpooled to school with our neighbors, and after school on 9/11/2001 I was surprised to see my mom with my neighbor, Patty Lane, at the car loop. She came to pick us up which was out of the ordinary because she never did. When we asked my mom why she was there too, she told us, "something happened and we need to talk about it at the house." I knew my mom was pregnant, and in the car I asked her, "Oh, did you tell everyone you are having a baby?" Our neighbor was shocked and then the same thing happened when we got home. When we arrived at our house, it seemed like there was a party going on because of how many people were there. When we walked into the house I asked my mom if everyone was over because they found out she was pregnant. But people did not respond with joy, they were kind of quiet.

Declaration of Christopher Soulas, ¶¶4, 15.

256. Decedent Timothy Soulas is survived by his son, **Matthew Soulas, a minor**. Matthew was five and in kindergarten when his father was murdered on 9/11/2001. Katherine Soulas is the parent and natural guardian of Matthew Soulas. Katherine Soulas, describes in her Declaration on his

behalf how the loss of his father has had a powerful impact on his life:

He was our fourth of five children and I was pregnant with our sixth on 9/11. Everyone in our family was on a different rollercoaster ride in terms of grief. I was worried that I was missing out on things that my children were going through. For Matt, I just checked out with regard to academics. I did not do the things with him that I had done with my older children, such as reading him a book every night. It was not that I did not want to. Someone was crying or someone had some pressing issue. Because Matt was only five at the time, he was not as emotional as the older kids because he did not really comprehend what he lost. So if I was busy with one of the older boys who was on the downward side of that emotional rollercoaster ride, Matt got left behind. He got planted in front of the TV or something else to distract him while I was taking care of whoever was in crisis. But I think that is true for all of my children. They had a pregnant mom who was not only grieving the death of her husband and partner, she was divided by five kids and the one who was in crisis got the attention. When Matt finished kindergarten, he only recognized 10 letters of the alphabet. I will never forget going to my first meeting with his teacher in first grade and the teacher said Matt was in the lowest reading group. He was getting support help. He did not even have letter recognition and he could not spell his last name. I remember feeling humiliated. I am an Ivy League graduate and my son could not spell his name. I felt really inadequate. I did not have warm and fuzzy feelings with his first grade teacher, and Matt was acting out. I will never forget being called to the school because he put scissors in the electrical outlet and shorted out the whole side of the building. Matthew's reaction to 9/11 now is avoidance. All of the older children did not want to be the center of attention. They did not like that. They did not ever want to get any special treatment... And I fear that because of his desire to be like everybody else, he will not get the help he needs to work through the issues created by having his father murdered on September 11, 2001.

Declaration of Katherine Soulas on behalf of Matthew Soulas, a minor, ¶¶4, 6, 9.

257. Decedent Timothy P. Soulas is survived by his daughter, **Nicole Soulas, a minor**. Katherine Soulas is the parent and natural guardian of Nicole Soulas, a minor. In her Declaration on behalf of her daughter, Nicole, Katherine states how the loss of her father has had a terrible impact on her life :

On 9/11/2001, Nicole was only 16 months old. For all practical purposes she has no memory of her father. She has struggled a lot. Everybody felt sorry for this beautiful little white haired toddler who did not have a father and, unfortunately, she learned at an early age how to be manipulative. For instance, in preschool they were reading a story about a daddy and his little girl and she burst into tears. The teachers' hearts bled because they knew her dad, Tim. They knew my older

sons too, and here was this charming little girl who was heartbroken and they would do anything to make her feel good. Also, up until she was 16 months old she had one kind of mother and then all of a sudden she had another kind of mother. Nicole became very spoiled, and she has been in counseling since she turned four because of anger issues, disruptive behavior and crying inappropriately or inconsolably. As it was explained to me, when you are a baby and you have a tremendous loss, all you know how to do is cry and scream because you have not yet acquired language skills. She had to be taught how to verbalize her feelings, to have them and to understand what her anger was.... We had to teach her to use the tools of language to express what was enraging her. For a lot of years she went to therapy on a weekly basis.

Declaration of Katherine Soulas on behalf of Nicole Soulas, a minor, ¶5.

258. Decedent Timothy P. Soulas is survived by his son, **Daniel Soulas, a minor**. Katherine Soulas is the parent and natural guardian of Daniel Soulas, a minor. Katherine Soulas, who was pregnant with Daniel Soulas on September 11, 2001, explains how the loss of a father on even an unborn child is enormous:

My youngest two children with Tim, Daniel and Nicole, have been followed by a group of researchers at Columbia University in a longitudinal study of traumatic grief. The study was started before 9/11, but when 9/11 happened all of a sudden they had this huge pool of subjects. I think the original study was concerning the effects of acute grief on a pregnant woman. So that research group really took to the 9/11 widows who were pregnant, and that is how I got involved with the study. Daniel's first evaluation by them was when he was four months old. We were going quarterly for about the first three years and then it became bi-annually, and now it is yearly. We go to Columbia and they do a video interview of his interaction with me, and one with me and another person and one with the other person alone. It has been interesting to watch his development since he was a baby. They gave me guidance on how to teach him to talk. Daniel was a late talker so they taught me how to encourage verbalization and correct pronunciation. They also pointed out at four months that he had a lazy eye, and referred me to an ophthalmologist. They were picking up on things that I was missing because I was overwhelmed and grieving. Daniel has also had grief therapy through school. He is my first kid who was a lot slower with reading. He has had special help with reading and with math and none of my other kids needed that. I do not know if that has anything to do with his dad's death, or because I was so preoccupied with dealing with other things in our life that I did not give him as much attention in the academic areas. But I do see that and it is remarkably different about him than his older siblings.

Declaration of Katherine Soulas on behalf of Daniel Soulas, a minor, ¶8.

259. Decedent Timothy P. Soulas is survived by his father, **Frederick Soulas**, who is a citizen of the United States and a resident of the State of New Jersey. Frederick Soulas had six children with his late wife, two of which have now predeceased him. Declaration of Frederick Soulas. ¶5.

Frederick Soulas remembers the day his son died and the aftermath:

During 9/11 we all talked back and forth by phone and we all had some false hope. One person reported having seen Tim on the 55th Floor at the time of impact on Tower I, giving us some hope that Tim could have gotten out safely. This turned out to be a false report. By day's end, it was apparent that all hope was fading and Tim was not going to survive the disaster. We'll all miss Tim's presence and humor at family affairs and at beach gatherings. I think what I especially miss are his phone calls he frequently placed to me on his cell phone during his long commute to his home from New York. We were never really out of reach from each other.

Declaration of Frederick Soulas, ¶¶7, 9.

260. Decedent Timothy P. Soulas is survived by his brother, **Frederick Soulas III**, who is a citizen of the United States and a resident of the Commonwealth of Pennsylvania. Frederick Soulas III recalls his relationship with his siblings:

We had our fair share of sibling rivalries, but nothing unusual. We were a bunch of brothers and sisters doing the things, and enjoying the unity, that good parents seem to naturally foster. It wasn't until we were all in our mid to late teenage years that we seemed to realize that we had something really special. We had become more than brothers and sisters. Somewhere along the way, we became best friends. As the early adult years dawned on us, this bond became unique and, in my mind, a cherished family characteristic to the six of us. We wanted to spend time together. We partied together and shared the same friends. Even today, some of the best friends I have, I first met because they were a friend of one of my siblings, Tracy, Stephen, Dan, Tim and Michelle. The ultimate impact of Tim's death began to set in when we eventually returned to North Carolina. It seemed like yesterday that he had called me from the dock of Dad's shore house in Ocean City, NJ to tell me that Katy was pregnant with their sixth child. We laughed and I told him how happy I was for them. Now happy had turned hollow.

Declaration of Frederick Soulas, III, ¶¶5, 6, 13.

261. Decedent Timothy P. Soulas is survived by his brother, **Stephen Soulas**, who is a citizen of the United States and a resident of the Commonwealth of Pennsylvania. Stephen, in his declaration,

describes the closeness of their family growing up, and as adults:

I used to think that the Soulas siblings had a typical childhood, but when I look back it was not typical because we never drifted apart. We did everything together. Our house in Springfield has a soccer field and three baseball diamonds in the back that were part of the local school district's public facilities. We also had a basketball court in the back yard. Summers were spent outside playing baseball. We all went to the same grade school, so we developed a close-knit circle of friends. Tim became the best athlete in the family. I am not sure if it was God-given ability, or through his determination because he was tired of getting beat by his three older brothers. [As adults when they both worked in Philadelphia] Tim and I would take the train to Philadelphia together every day during his co-op. At the end of the day, we would meet up and take the train home together. We used to talk a lot about the business I was in. After Tim graduated from Drexel, he married Katy and began working at a local brokerage firm making cold calls. After a few months, I introduced him to a woman named Mary Suplee who ran Discount Brokerage Corps on the Exchange floor. I made the introduction, but Tim did the rest himself. He interviewed and was offered a job.

Declaration of Stephen Soulas, ¶¶5, 7.

Stephen Soulas also recalled 9/11 and the aftermath:

We all moved up to Tim and Katy's house in Basking Ridge, New Jersey for the two weeks and slept on the floor. On September 12, I went to New York with two of Tim's best friends to look for him. We drove to Jersey City to take the PATH to the city. Out of all the parking garages in Jersey City, we picked a random garage and saw Tim's car parked only one row over. He had left his cell phone in the console, which is why no one had been able to reach him on it. We visited hospitals and wound up filing a missing person report with the Medical Examiner at 7:30 p.m. While we were there, I spoke to my brother Dan and he informed me that Katy had told the kids that their dad was gone, and he asked me to come back to the house. My family is still very involved with Tim's family. We spent several months in the first half of 2011 rotating weekends at the house so Katy could address some medical concerns. We speak to his children often to offer counsel and comfort.

Declaration of Stephen Soulas, ¶¶12, 16.

262. Decedent Timothy P. Soulas is survived by his brother, **Daniel Soulas** (listed as "Dan Soulas" in Complaint) who is a citizen of the United States and a resident of the Commonwealth of Pennsylvania. In his Declaration, Daniel Soulas explains:

Tim's death has had a significant impact not only on my life but on the lives of

my wife and my children as well. There is rarely a minute of the day when Tim is not in my thoughts. There is never a minute of the day when he is not in my heart. Even though I can cherish wonderful memories of my brother, these memories cannot fill the void I have felt in the ten years following the attacks. Jaclyn, my youngest, was 3 years old at the time of the attacks. By the time she was 5, she recognized that Uncle Tim wasn't with us but couldn't really comprehend what happened or why. She knew that she lost her Godfather and frequently asked us, "Who's going to be my new Godfather?" Our answer was, of course, "Uncle Tim will always be your Godfather and there's no better place for a Godfather than in Heaven."

Declaration of Daniel D. Soulas, ¶¶12, 13.

263. Decedent Timothy P. Soulas is survived by his sister, **Michelle Donlan**, who is a citizen of the United States and a resident of the Commonwealth of Pennsylvania. In her Declaration, she recalls the special relationship she shared with her brother. Michelle recounts that Tim took his role of "big brother" very seriously and, as they got older, she loved spending time with Tim and his family. Declaration of Michelle Donlan, ¶6. She babysat for them all the time and since her territory for work included New York City, she arranged her work schedule to allow for visits with Tim and his family. Declaration of Michelle Donlan, ¶7.

The last time I saw Tim was exactly a week before the attacks of September 11, 2001. Tim was going fishing with his four boys and my dad. I was on the dock with my husband and daughter, who was almost 1 year old. I was trying to get my daughter to show her uncle that she could walk. Everyone got on my dad's boat and pulled away from the dock. Tim was waving goodbye and all the kids were waving to us. It was such a great memory for me to have because I know he was happiest doing what he loved – being with his kids.

Declaration of Michelle Donlan, ¶9.

FAMILY OF WILLIAM R. STEINER

Decedent William R. Steiner was employed by Marsh & McLennan on the 97th floor of the North Tower of the WTC. He is survived by his wife, Russa Steiner, who was a plaintiff in Havlish, both individually and as Personal Representative for the Estate of William Steiner, and by his sons, Darren Steiner and Jordan Steiner, his daughter, Meredith Steiner Reverdito, his

mother, Wilma Steiner, two siblings, Robert Steiner and George Steiner, and numerous nieces and nephews: Kaitlin Steiner Keller, Kristyn Steiner, Adriana Friedman, Addison Friedman, Anthony Friedman Ceraso, Daniel Huber, Kristen Druckenmiller, Heather Caudill, Stephanie Feher. The declarations of all of the Steiner family members demonstrate how enormously important Bill Steiner was, as the patriarch of the family and father figure to several of his nephews and nieces. On September 11, 2001, like every morning,

William awoke at 4:30 am to prepare for his New York commute to a job that he had loved for over thirty years, in a city that he loved. He left at 5:30 am, which was customary for him. As managing Director and Consultant for the world's largest reinsurance company, he liked an early start to his day so that he could have some quiet time in the office. He avoided the inevitable rush hour traffic and was on the 97th floor of the North Tower, in his office, soon after 7:00 a.m. every day to review, prepare and get a head start on the day's agenda. My husband had a much sought-after corner office with beautiful city skyline view, which was located exactly where the first plane made contact. It is possible he was directly in striking position of the airplane. He could have died from injuries suffered in the explosion or been burned alive in a fire of intense heat from the fuel, which exceeded the temperature of an average crematorium. He could have died from smoke inhalation or a heart attack. He might have been crushed by crumbling steel and concrete as the floors above buckled in the collapse. He could have been burned alive in the mass of melting, smoldering poisonous debris. Another realistic cause of his death is the combination of these unimaginable possibilities.

Havlish Declaration of Russa Steiner, ¶¶5, 6.

Category A -- Immediate Family Members

264. Decedent William Steiner is survived by his son, **Darren Steiner**, who is a citizen of the United States and a resident of the Commonwealth of Pennsylvania. Darren Steiner states in his Declaration:

I was watching a National Geographic special about 9/11 the other day and there was a man near the 90th floor of the North Tower, waving his suit jacket, trying to climb down, but then he couldn't hang on anymore and fell. I doubt it was my father, but I can't help to think that maybe it was. People look at me differently in my hometown. For instance, when I meet someone I've never met before, quite often I get "oh I know you". Of course they recognize me, I'm the

9/11 kid. When comedians on TV make 9/11 jokes it is not so much that it bothers me, what's worse is the effect this has on the people around me. Other people change – their mood changes, they look at me, make note of it, and they decide to change the channel. When I meet people, it still hasn't gotten easier to figure out the best way or time to tell them that I suffered a tremendous loss on 9/11. I generally refrain from offering this information about me, because once I do, they will forever look at me differently.

Declaration of Darren Steiner, ¶¶4, 5.

265. Decedent William R. Steiner is survived by his son, **Jordan Steiner**, who is a citizen of the United States and a resident of the State of New York. In his Declaration, Jordan Steiner recounts his experience working in the World Trade Center:

I was very familiar with those buildings, because I spent a lot of time in them between 1999 and 2001. I drove to them from New Hope, Pennsylvania five days a week with my father. He worked in the North Tower and I worked in the South. The trip took two hours each way, door to door. We spent a lot of time together in the car every day. We had our routine. He always stopped in Flemington, New Jersey at the same place to get gas because 'they had the best prices.' Sometimes, we would stop to get a bagel, but that was the exception. The regular routine was Dunkin Donuts. He always made me go in and get his "small coffee, cream and sugar," but I did not mind, because he paid for mine too. I liked feeling that I was making the trip a little easier for him. Most mornings I would fall asleep during our drive, as my father liked to be at work by 7:30 a.m. This meant we would have to leave the house by 5:30 a.m. That is pretty early for an 18 year old college freshman. With some whining, I finally convinced him to "relax a little, it's the summer... Can't we just leave at 6:00 o'clock?" He obliged. The afternoon drives were different, I was awake for those. I always offered to drive, thinking that he must be exhausted, but he never took me up on it. I think he really just enjoyed driving. I always wanted to listen to music. He had to have his sports radio, so we listened to Mike and the Mad Dog on WFAN. I complained that it was boring. I would always say, "Wouldn't you rather hear some music?" Occasionally he would relent. Writing this, over ten years later as a 30 year old man, it makes me sad. I listen to sports radio all the time now, something I always thought was 'too boring' as a kid. We missed being on the same page for that one. He also liked listening to Joan Baez and Jackson Browne. I would complain that it was giving me a headache. Years later, I enjoy both. They remind me of him. We missed being on the same page for that one too. I missed out, but so did everyone else. My little brother really missed out. He never got the chance to experience the bonding that takes place between a father and son when they spend 4 hours a day together in a car.

Declaration of Jordan Steiner, ¶¶5, 6.

266. Decedent William R. Steiner is survived by his daughter, **Meredith (Steiner) Reverdito**, who is a citizen of the United States and a resident of the Commonwealth of Pennsylvania. She recalls the day her father was killed:

It is ironic how so many details of that time are a blur, but the strangest, most insignificant details are crystal clear, like what was on the radio. At that point I tried calling my dad at work and I got a recording saying; "Your phone call cannot be completed as dialed." I must have tried to call him at least 15 to 20 times. Each time I got the same recording. At this point my memories become blurry. I do not like the term "freaking out", but I was nervous, uncomfortable, and really confused about what was going on. I do not even remember at what point I began to cry. I do not grieve just on the obvious days, like the 9/11 anniversaries. I can be watching TV and there will be a reference to a wonderful father and I will start crying. It is completely random as to when I will be affected. Worst of all, my father was denied a proper burial. His remains were not found. I do not have a cemetery or traditional place to pay respects, so I consider Ground Zero as my father's burial place. There is no other place I feel closer to him. It has been very difficult to have private family moments at a location that is a national tourist attraction.

Declaration of Meredith Steiner Reverdito, ¶¶6, 7, 8.

267. Decedent William R. Steiner was survived by his mother, **Wilma Steiner**, deceased, who was a citizen of the United States and a resident of the Commonwealth of Pennsylvania. Wilma Steiner died on October 7, 2010. Her son and brother of 9/11 Decedent William Steiner, Robert Steiner, is the Personal Representative of the Estate of Wilma Steiner. In his declaration on behalf of the Estate of Wilma Steiner, Robert Steiner writes:

William and I shared the financial responsibility for expenses incurred in the care of our ailing mother. Our mother was in need of constant supervision and professional medical care. After my brother's untimely death, I found myself solely responsible for the payment of the cost of care and related expenses, but financially I was unable to tender payment. As a result our mother's health and quality of life declined and suffered as a direct result of my brother's death." Declaration of Robert Steiner on behalf of the Estate of Wilma Steiner, ¶4.

Robert Steiner incorporated into his declaration a letter that Wilma Steiner wrote for the purpose of this lawsuit, in which she wrote:

"As any parent can tell you, there is no greater pain than that of losing your child,

regardless of their age. It is even more painful to lose that child needlessly. William was a wonderful son and when he was taken from me I went into a deep depression for which I needed to be medicated and have never fully emerged from. I cannot express how much I miss my son. As a mother, I not only mourn my son's death, but wonder how he died. I will never know if he suffered, died instantly, was he alone, was he terrified. His remains were never recovered so I never even got to bury my son. I will never have closure. William's death was caused by the deliberate and calculated act of person's whose sole intention was to inflict unprovoked terror upon thousands of innocent people and consequently, their families. My son is gone.

Declaration of Robert Steiner on behalf of the Estate of Wilma Steiner, ¶5.

268. Decedent William R. Steiner is survived by his brother, **George W. Steiner**, who is a citizen of the United States and a resident of the State of New Jersey. George W. Steiner writes in his

Declaration:

At our weddings, Billy and I were each other's best man. Even as we married and started families, we looked forward to spending time together at christenings, graduations, weddings, barbecues and on all the usual occasions. Billy was the godfather to my oldest daughter, Dawn. We remained in close contact and communicated frequently by phone. Occasionally, when our schedules permitted, I would join Billy for lunch at Windows of the World at the top of the World Trade Center. The hardest day of my life was the day I delivered the eulogy at Billy's memorial service on October 27, 2001. My emotional and mental health has deteriorated. I have had consultations with numerous psychiatric physicians to address my condition. I have undergone psychiatric evaluations, assessments, and subsequent medical treatment for Panic Attacks, Anxiety Episodes, and Chronic Insomnia. I continue to experience vivid flashbacks or recurring images of my brother's death, particularly the extent of the pain he endured in his last moments. These symptoms persist. My suffering is not alleviated by tranquilizers, anti-depressants, or prescription sleep aids. Because I was unable to maintain concentration in the performance of my job, I was forced into early retirement. This depressive behavior caused the dissolution of a fifteen-year relationship with my girlfriend who meant very much to me. I no longer derive enjoyment out of life, and I show no interest in daily activities or hobbies. People who have known me for many years or even my entire life tell me my disposition has changed. I was once cheerful and upbeat. I have taken a 180-degree turn. I have endeavored to regain control of my life, but to no avail. My brother's murder has impacted my mental health. In 2006, paramedics rushed me to the emergency room because of an adverse reaction to the prescription medication Paxil taken during alcohol consumption. I was admitted and placed on suicide watch for 24-hours at the Community Hospital in Toms River, New Jersey. The battle to cope with the death of my brother and move forward with my

life remains a painful process. With the loss of my brother, a part of me was taken. His death has left a deep hole in my heart.

Declaration of George Steiner ¶¶5, 8, 9.

269. Decedent William R. Steiner is survived by his brother, **Robert Steiner**, who is a citizen of the United States and a resident of the Commonwealth of Pennsylvania.

I grieve for the loss of my brother every day and I will for the rest of my life,” Robert Steiner writes in his Declaration. “I also grieve for the family that will never know him, his future grandchildren, my grandchildren and nieces and nephews. They will never know his quiet ways, his sense of humor, never benefit from his wisdom or generosity. The world has lost many, and I have lost a brother. The murder of my brother has left a large and irreparable void in my life. Growing up, we did not have much in common due to the significant difference in age. Later, the discovery of commonly shared interests bridged the gap in age and brought us closer. I always loved and admired my brother. Over the years I developed a deep respect for the person my brother had become and all that he had accomplished. My brother, William, became my best friend. Not only did I lose my best friend, I am left to speculate the manner in which he died. William’s remains were never recovered, so we were unable to give him a proper burial, denying our family and me any sense of closure. William’s office was on a floor that was impacted, leaving me to wonder the degree of his suffering. I pray that he died instantly. I fear that he suffered immensely. He could have died slowly of smoke inhalation or been burned to death, or perhaps something worse. I wondered if he even knew what happened and if his last thoughts were about his family before he died. When I think of how alone he must have felt it is almost too much to bear. An emotional part of me died with my brother.

Declaration of Robert Steiner, ¶¶5, 6, 7.

Category C – Other Functional Equivalents of Immediate Family Members

270. Decedent William Steiner is survived by his niece **Kaitlin Steiner Keller**, a citizen of the United States and a resident of the State of New York. She states:

Trying to verbalize what a remarkable and revered man my Uncle Billy was is a futile task. I cannot capture in one letter or even one novel-length dissertation the essence of what made him a special and essential part of our lives. Only those who were fortunate enough to know William Steiner are acquainted with the aura of warmth and placidity that he radiated. Only we will know what a kind, caring and generous man he was. Only we will know how truly lucky we are to have known him and how blessed we are to have had him touch our lives. No words will ever describe the incredible human being he was or the damage inflicted

upon our family from a single loss of life at the hand of the perpetrators of 9/11. So, instead, I shall tell you what I remember. I remember spending our Thanksgivings with my Uncle Billy and his family. I remember the year that Uncle Billy carved the turkey with his brand new electric carving knife; I remember always watching a movie after the feast. I remember his gentility, his wisdom, his compassion. I remember a man who was dedicated to his family and his work. I remember the stories my father, his brother, would tell my sisters and me about my uncle's humility, success and incredible character. I remember how my father idolized his brother and saw him as a role model even for his very own children. I still remember the last time I saw my Uncle Billy: eight days before he was taken from us. I wish I could go back to the day and tell him one more time how much I love him.

Declaration of Kaitlin Steiner Keller, ¶¶5, 6.

271. Decedent William Steiner was survived by his niece **Kristyn Steiner Martin**, a citizen of the United States and a resident of the State of Pennsylvania. She writes in her Declaration:

Since 9/11 my family is forever changed. I grieve for my family. I grieve for the impact that it had on my father and grandmother. My grandmother grieved every day until the day she passed away. I was not just sad for my loss, but I was also devastated for the loss that they felt losing a son and a brother. One of the hardest things for me was watching my father turn into a different person, and this in turn changed me. My father was completely broken. He was a shell of his former self after he lost his brother. He did not want to talk to anyone, we stopped doing any family activities or visiting with family. He was not the same man he was before 9/11. My dad went from being a fun, outgoing person to someone who suffered with mental health issues. The helplessness I felt was overwhelming. I tried to step in and be the strong one for my family during this time, which was a brand new role for me. 9/11 broke my family. It is said that time heals all wounds. However, it has been over ten years since my uncle was taken from us, and each year on September 11, it feels like it is happening all over again. Each time someone mentions 9/11, it takes me back to that morning like it was yesterday.

Declaration of Kristyn Steiner Martin, ¶8.

272. Decedent William Steiner is survived by his nephew, **George M. Steiner**. George M. Steiner will file a motion for voluntary dismissal with this Court.
273. Decedent William Steiner was survived by his niece, **Dawn Steiner**. The Estate of Dawn Steiner will file a motion for voluntary dismissal with this Court.
274. Decedent William Steiner is survived by his niece, **Denise Donohue**. Denise Donohue will file a

motion for voluntary dismissal with this Court.

275. Decedent William Steiner is survived by his niece, **Adriana Friedman**. Adriana Friedman will file a motion for voluntary dismissal with this Court.

276. Decedent William Steiner is survived by his nephew, **Addison Friedman**. Addison describes in his Declaration how and why William Steiner was his father-figure:

Uncle Bill was more than an uncle to me. Uncle Bill was a father figure to me. I grew up without a father. My father abandoned my mother prior to my birth and later died when I was nine. My Uncle Bill was the first positive male influence in my life. Because I was so frustrated at not being able to do something after the attacks I decided that I would make a change in some way to help ensure that this never happens again. This is the reason that I became a federal agent. I am Deputy United States Marshall working to help ensure that something like this never happens again. My mother was a single mom raising three children. Sometimes she worked six jobs to raise us. My Uncle Bill would help my mom with money for bills when I was growing up.... Since my mother never had a lot of money to take us on vacations, we would go to my Uncle Bill and Aunt Russa's house in Pennsylvania for our vacations. To me it was better than Disney Land. Uncle Bill would always play with us in the yard and in the pool. One time he took us into the Twin Towers. That memory is with me every day. He would play chess with me and sometimes he even let me win. Uncle Bill always watched baseball with me and he treated me like his own son. We ate all the bad foods and I drank lots of soda. We would watch until the game was over no matter how late it was, even though Uncle Bill woke up at 4 a.m. to get ready for work every day.

Declaration of Addison Friedman, ¶¶5, 6, 7.

277. Decedent William Steiner is survived by his nephew **Anthony Friedman-Ceraso**, who is a citizen of the United States and a resident of the state of North Carolina. Anthony Ceraso explains:

My Uncle Bill was more than just an Uncle. He was the only man in my family I had to look up to. My father left my family when I was just a baby. I never saw my father and I do not have any memoirs of him. My Uncle Bill helped my family in lots of ways and many times. He gave my sister, brother and me our first computer and taught us how to use it. As a single mom, my mother worked hard to make ends meet and very often did not have money for extra things. My Uncle Bill would step in and help out with special things. He bought us games for our Nintendo 64. He bought us sporting equipment like a bat or glove, and a child size set of golf clubs. When my mother needed it he also helped us out with

money. My family is very close even though we lived many miles apart. My aunt and uncle would come to North Carolina and visit and we would do fun things, like go to theme parks and play golf. Uncle Bill taught me to play golf, but I was never very good at it. My Uncle Bill and Aunt Russa would take us on vacations to Myrtle Beach to a fancy hotel. They let us order room service for the first time. Uncle Bill would sit with my brother and me and watch football, baseball and basketball games, and he would explain all the rules to us. He and I both loved the Yankees. We talked about how he would take me to a Yankee game one day. That never happened because his life was taken too early. I will never get to go to a Yankee game with Uncle Bill or just sit and talk to him about guy things. I miss the only man in my family I had to look up to.

Declaration of Anthony Friedman-Ceraso, ¶6.

278. Decedent William Steiner is survived by nephew, **Brian David Huber**. Brian David Huber will file a motion for voluntary dismissal with this Court.

279. Decedent William Steiner is survived by his nephew, **Daniel Huber**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania. Daniel states in his

Declaration:

Every day, I think back to September 11, 2001. I think about all of the great people that were lost and pray for everyone who was affected. I wonder how and why someone could do this. My Uncle, William Steiner, was one of the smartest and funniest men I have ever met. I remember him for all of the great things that he did for me and my family. My father died when I was very young. We lived about an hour away and I saw him and my Aunt Russa at least every other month. I watched how he interacted with his children and I noticed the advice he gave. I felt that I could turn to him with questions and concerns. He was always there for us. He was such a great, charitable man. Once when my mom needed a new car and could not afford one, he sold her one of his for just one dollar. I especially treasure all of the great times we shared together on Thanksgiving and Christmas. I will never forget when I was just a little boy “Uncle Bill” showed me how to carve a turkey. He would talk with me about everything from sports to our favorite music. My Uncle was honest, loyal, funny and trusting, and that is the kind of man that I hope I can be. I miss him very much and without him, my life is just not the same.

Declaration of Daniel Huber, ¶5.

280. Decedent William Steiner is survived by his niece, **Kristen Druckenmiller**, a citizen of the United States and a resident of the Commonwealth of Pennsylvania. Kristen explains their

relationship:

My Uncle Billy was the closest male family member to me. My dad was not around growing up. My parents were divorced. My father drank a lot and he did not keep in touch with us. Uncle Billy was that father figure for me that I did not have in my life. I talked to my Uncle Billy about things as if he was my father. We would talk on a weekly basis about school, boyfriend trouble, friends and just everyday situations. Every time we go visit my aunt, we pass a restaurant where my uncle and I had breakfast. I had just broken up with my boyfriend and we talked for what seemed like hours about everything. He knew I was upset and he did not let me leave without making me smile and feel better. We mainly saw my Uncle on the weekends and a lot over the summer. My brothers and I would go spend a week or two during the summer with Uncle Billy and Aunt Russa. We lived about an hour and a half from them. While we were growing up and staying with him over the summer they would buy us school clothes, shoes and toys to play with. Not a holiday that goes by, a car that catches my eye (since he had a love for cars), the smell of a cigar, a movie that is on, or the Yankees playing baseball, that it does not make me miss my favorite uncle.

Declaration of Kristen Druckenmiller, ¶¶8, 10, 11.

281. Decedent William Steiner is survived by his niece, **Heather Caudill**. Heather Caudill will file a motion for voluntary dismissal with this Court.
282. Decedent William Steiner is survived by his niece, **Stephanie Feher** who is a citizen of the United States and a resident of the Commonwealth of Pennsylvania. In her Declaration, Stephanie explains:

As a small child, my aunt and uncle “practiced” parenting with me before they had their own children. Uncle Bill was always the first one up in the morning and on weekends he always made breakfast. Those weekend trips to their house are some of my favorite memories growing up. Our families were always together on Thanksgiving and that shared holiday dinner is very special to us all. Bill would sit at one end of the table and my father was always at the other end. Uncle Bill would be the one smirking behind his napkin when one of the kids did something that was “inappropriate at the dinner table.” It was extra special because he never got caught letting us off the hook with his smile. One of my favorite memories is when I was 17 years old and I had just gotten my driver’s license. We went to my aunt and uncle’s house for dinner that weekend. Uncle Bill had just purchased a brand new, very expensive corvette. My jaw hit the ground as he smirked and threw me the keys to this new car. He told me to have fun but to stay in the neighborhood, where it was safe. The other adults were aghast that Uncle Bill would trust me with such an expensive car, but that was just the way he was. He

didn't care about the car. He wanted his niece to enjoy her afternoon. It is so sad to know that my daughters will never know him.

Declaration of Stephanie Feher, ¶6.

FAMILY OF ANDREW STERGIPOULOS

Decedent Andrew Stergiopoulos graduated from George Washington University in May of 2000, and a month later he went to work for Cantor Fitzgerald on the 105th Floor of the North Tower of the WTC. He was only 23 years old when he was killed. His parents, Angela Stergiopoulos and George N. Stergiopoulos, were individual plaintiffs in Havlish, and they both serve as Personal Representatives of the Estate of Andrew Stergiopoulos, which was also a plaintiff in Havlish. 9/11 Decedent Andrew Stergiopoulos is also survived by his siblings, Kathleen Stergiopoulos and George Stergiopoulos, Jr. as well as his grandmother, Louise Borzumato, who are plaintiffs in this case. As the family members' declarations show, the Stergiopoulos family was a traditional family with strong extended family ties and close relationships.

Category A -- Immediate Family Members

283. Decedent Andrew Stergiopoulos is survived by his sister, **Kathleen Stergiopoulos**, who is a citizen of the United States and a resident of the State of New York. Kathleen Stergiopoulos was in training as a Cardiologist at Yale New Haven hospital on the morning of September 11, 2001. In her Declaration, she describes the days following the 9/11 attacks:

I have two other brothers besides Andrew. Andrew was the youngest and George is the oldest. George and I took a train into New York City to look for Andrew. For some reason, we had to go to the morgue. Mainly we were walking around trying to decide what to do next. We went to the nearest hospital to see if we could find Andrew, and we went to NYU. I had friends who worked at both places so they tried to help us. My colleagues at Yale called all of their friends at all the hospitals in the city. The hospitals were clearing out their patients so they could accommodate all of the trauma victims they were anticipating, but nobody was coming in alive. I was trying to find out about victims coming into the

hospital, and they had to tell me that nobody was being brought in alive. It was really hard to hear this information.

Declaration of Kathleen Stergiopoulos, ¶5.

284. Decedent Andrew Stergiopoulos is survived by his brother, **George Stergiopoulos, Jr.**, who is a citizen of the United States and a resident of the State of New York. George testifies in his

Declaration:

There are six people in my family. I am one of four siblings. Andrew was the youngest, I am the oldest and Kathleen and Nicholas are in the middle. I am seven years older than Andrew so I can actually remember when he was born. Our family was very close. We had dinner together every night. There was always a meal to be had at our house. We had a very nice childhood. We were a happy group growing up. We did not have a lot of spare money, but we always had a lot of laughs and a lot of fun. Both of my parents worked and were very dedicated to their jobs. We did not take a lot of family vacations or go exciting places, but we all liked to hang out together. My grandparents lived close by and we visited them often. When we saw them, my cousins would be there too. Our family was very close. I actually got involved with their [Cantor Fitzgerald] relief fund. I talked to and was around people who experienced the same thing that I had been through and that was a good support network. [A]fter 9/11 they had lots of calls coming in from families and I talked to people who were calling. I never told them who I was however, or that I had also lost my brother. I think that my work with the Cantor Relief fund was like therapy; however, about seven and a half years ago I started seeing a psychologist. I have been talking to him ever since and I have found it very helpful.

Declaration of George Stergiopoulos, Jr., ¶¶4, 8.

Category C – Other Functional Equivalents of Immediate Family Members

285. Decedent Andrew Stergiopoulos is survived by his grandmother, **Louise Borzumato**, who was a citizen of the United States and a resident of the State of Florida. Mrs. Borzumato is recently deceased and her estate is represented by her son, Anthony Borzumato. Louise Borzumato writes in her declaration about the special role she played in her grandchildren's lives:

I was there when Andrew's Mom and Dad brought him home from the hospital. He was three days old. Andrew was huge, weighing in at over ten-and-a-half pounds, and he was beautiful. The doctor said to my daughter at the baby's first check up, "Mother you did a good job." I was so proud of her and Andrew. I lived

at my daughter's house for a few weeks before Andrew was born so I could help my daughter with her other three children and I stayed on for a few months afterwards to help my daughter recover from the birth. After that, my husband and I rotated out, with one of us helping Angela. My husband and I spent many summers with Andrew and the family. My daughter worked and went back to school so she needed help with the children. Our time together was not limited to the summer, during the school year, my husband and I spent a lot of time at my daughter's house helping out with the kids. My daughter told me that Andrew was working in Tower One, but she was sure he got out, knowing how fast he was at running. I started to pray to God to save Andrew. If necessary, God should take my life and leave Andrew to live. I prayed and prayed to God continuously. All of the family started calling from Florida to ask about Andrew. They wanted to know if he had called and if he was alright. I was alone, going out of my mind with worry, in fear for Andrew's safety. I was stuck in Brooklyn. There was no public transportation and the highways were closed. The loss of Andrew has devastated my life forever. I do not have the joy in life that I once had. There is no closure, just a hole in my heart that can never heal. I had to leave my Brooklyn home of 60 years because the memories of Andrew were too vivid, all the happy times we spent together as a family. Thank God my husband passed away a year before 9/11/01. He would have been devastated beyond words. I have a lack of interest in any previous normally pleasurable activities. I have been inactive in any household activities which, before 9/11, I had always enjoyed. My children closed up my home in Brooklyn and shipped me down to Florida so I would not be alone. I cannot sleep at night and feel hopeless about the future. I lack energy and have constant flashbacks of the images of the Towers collapsing. The incident has caused intense distress and depression in me. I have nightmares and wake up in a state of fear. My emotions are a mix of depression, sadness, anger and guilt.

Declaration of Louise Borzumato, ¶¶5, 7, 8, 9.

FAMILY OF EDWARD W. STRAUB

Decedent Edward W. Straub was President of the Compensation Consulting Group for AON Consulting Worldwide, whose offices were located on the 102nd Floor of the South Tower, WTC. He grew up poor and worked hard to achieve his college degree and go to law school. His estate, represented by his wife, Sandra Straub, was a plaintiff in Havlish, and she was a plaintiff individually in Havlish as well. 9/11 Decedent Edward W. Straub was also survived by his father, Edward Adam Straub, by his brothers, Matthew Straub and Stanley Straub, by two sons from his first marriage, Samuel Straub and Aaron Straub, and by two sons from his second

marriage, Michael Straub and Jonathan Straub, who are all plaintiffs in this case.

Category A -- Immediate Family Members

286. Decedent Edward W. Straub is survived by his father, **Edward Straub**, who discusses his grieving stage of denial over his son's death in his Declaration:

They had a ceremony in New Jersey about six weeks later. There was some closure, I think, at that time. But I do not think I really ever gave up hope. There were films that came out about 9/11 that showed people trapped in certain areas, and so I often thought for a long time that he was somewhere. He could have had a memory loss. A lot of people, from what I am told or what I have read, had evacuated by ferry or whatever else. I just figured that well, maybe.... I think even at the time they had Edward's memorial service I was hoping for something.

Declaration of Edward Straub, ¶6.

287. Decedent Edward W. Straub is survived by his brother, **Matthew Straub**, a citizen of the United States and a resident of the Commonwealth of Massachusetts. He recalls the role Edward played in his life; Edward even taught Matthew how to drive. Declaration of Matthew Straub, ¶7.

Because of our age difference [10 years], Edward was more like a father to me. He loved fishing and used to take me with him. My brother used to help me with my fishing equipment and answered any questions that I had. He was so passionate about fishing that he even grew his own worms. He also helped me build my coin collection. We did a lot of things together. When I was 12, I used to ride my bike to the next town over, where my brother lived with his first wife. They always made me feel at home.

Declaration of Matthew Straub, ¶¶5, 6.

288. Decedent Edward W. Straub is survived by his brother, **Stanley Straub**, a citizen of the United States and a resident of the Commonwealth of Massachusetts. He and his brother were just two and a half years of age apart, and they spent much of their childhood enjoying the outdoors.

Stanley Straub recalls the horrors of 9/11:

[A fifth grade teacher, I] went to the library and thought that the librarian was watching a movie, but it was actually coverage of the attacks that was on a small television. I didn't realize that it was real until I noticed the news crawl at the bottom of the screen. I left the library and called my sister-in-law. She had spoken

to Edward, who was working in the South Tower. He was aware that the North Tower had been attacked and described seeing people jumping out of the windows to escape the inferno. I left school and drove to New York City, stopping to check my grandparents on the way. I remember the roads being desolate. At this time, I counted on my brother being one of the survivors of the attack because he was always a leader. I could not get any clear answers about survivors or the missing. I went to the Red Cross daily for information. On the first day, a description of body parts that were found was posted. They would be listed as “right arm and hand with nicotine stains” or “torso with tattoo”.

Declaration of Stanley Straub, ¶¶11, 12.

289. Decedent Edward W. Straub is survived by his son **Aaron Straub**, a citizen of the United States and a resident of the State of Florida. In his declaration, he recalls how, after 9/11, he was on the first plane from Scotland, where he was living, to the United States:

Once I arrived in the United States, looking for my father became a coordinated family effort. My uncle drove down from Boston the day of the attacks. My brother drove across country to get there. The whole family descended upon the house to support my stepmother and my two young half brothers. I ended up being the person that stayed with them in their home in Morris Township, New Jersey, for about three months. I helped settle my father’s Estate, go through all the insurance, and I helped with all the things that needed to be done. Obviously it was an odd time when it came to death certificates and everything else, so it was a long process. He discussed repercussions of failing to deal with his father’s death including alcoholism and depression. He attributes this as a cause of the dissolution of his own marriage and losing custody of his children. After returning to work in January 2002, I kind of bounced around. My work patterns followed my emotional patterns. I lost several more jobs. I did not work for a year, probably in 2003, 2004. I just was a basket case. Also it was difficult to be in the restaurant business with alcohol flowing freely since that was one of my destructive coping mechanisms. I was not able to put my life together in any kind of meaningful sense. Before 9/11, my one ability was to be very controlled in my work and pursue my career.

Declaration of Aaron Straub, ¶¶5, 8, 10.

290. Decedent Edward W. Straub is also survived by his son, **Jonathan Straub**. Jonathan writes:

I was born and raised to age five in Morristown, New Jersey. That is where we lived when 9/11 happened. After my dad was killed, we moved to Belmont, Massachusetts. The majority of our family lives in or near Belmont. My mom in her time of need really wanted to be closer to her family. I really do not have any concrete recollection of life before 9/11. I have no recollections of my father. I

did not really know him. ... I remember Christmas being a special holiday for our family. I remember how we would decorate the house on Christmas. Sometimes we would travel to Florida, I think. The best times I remember are those ones when my dad was home. I remember he would work on his computer. He had a "Dogbert" doll on his computer that he used to cheer himself up. I remember playing with it while he would be working. ... I also vaguely remember being pulled in a carriage type thing behind my father's bike. My mother and father would bike on the weekends and pull me behind one of their bikes.

Declaration of Jonathon Straub, ¶6.

291. Decedent Edward W. Straub is also survived by his son, **Michael Straub**. Michael writes:

Before my father was killed we lived in Morristown, New Jersey. My dad worked a lot but he always made time for us. No matter when he would come home from work he would always pick me up and spend time with me. When he was home he spent all of his time with me and the family. He was very loving and he always took care [of] us. He took us on trips and he was always thinking of something fun for us to do. My dad did Boy Scouts activities with me all of the time and we went camping. Even when my dad had to work on the computer, he would have me sit near him and let me play with the model cars that he collected. My mom did not work when I was small and we spent a lot of time at the Country Club; swimming, or playing tennis or golf. My dad would take me golfing with him. He was a very hands-on dad. Looking back now it seems kind of idyllic. A couple of months after 9/11 we moved from New Jersey to Boston, where most of my mother's family lived. Because my mother could not handle raising me and my brother alone, she hired an au pair and a nanny to take care of us because by that time she was in the hospital. By the time I was eight and my brother was six, basically we were living with an au pair and a nanny. They were both very nice and we still talk to them. They are a part of our family. After 9/11, my mother suffered from depression and bi-polar mood disorder so she was in the hospital a lot and that was scary as a child.

Declaration of Michael Straub, ¶¶7, 8.

292. Decedent Edward W. Straub is survived by his son, **Samuel Straub**. Samuel writes in his declaration:

By Friday I finally got into New York. My dad lived in Morris Township, New Jersey, about thirty minutes outside of Manhattan. My step mother, Sandy, lived there with my dad and my two half brothers. The house had extra bedrooms. We bunked up because Sandy's family came in and I remember sleeping with her brother, sharing a bed. I stayed for about two weeks. My brother, my uncle and I went into the city every night to check the list for my father's name. After a couple of nights they were not finding anymore people, but no one was telling

that to those of us who were looking for loved ones. They were not making a declaration that if someone was not found it means they will not be found. It was difficult to come to that conclusion on our own. I did not recognize it at the time, but for a solid year I was depressed after I went back to work. I would stay up late and because I always traveled for my job and worked in places other than where I lived, I was always in a hotel. I had just moved to Dallas; I did not have a strong network or any friends there either, and I was travelling one hundred percent of the time at that point, so I was very isolated all of the time. I did not recognize that I was depressed. I would stay up late and watch TV. I did not really watch anything in particular. I would turn the channels until three in the morning because I did not want to go to sleep. Then I did not want to start the next day. I would have to be at work at eight or nine o'clock and I would sleep in until thirty minutes before work because I did not want to get up. After about a year, "I decided that I was going to move on and forget about it. I did not deal with it in a good way by going to speak to a counselor, I just pushed it down even further and forgot about it and moved on. The attack on September 11, 2001 was the single most destructive event to my life. I went back to work after two weeks but I was definitely depressed and ill equipped to deal with what had happened to me. Then one day he went to work and he died in his office. That thought kept gnawing at me and I eventually left the company on my own accord because I did not want to die at my desk and not be with my family.... I received the death benefits from the government so I had money to take some time off. But the end result was that this event wrecked my career and I got close to bankrupting myself and our family. After I stopped working I was faced with all of those feelings that I had represented and stuffed into work. I no longer had that outlet. When I left my job I started doing yoga because my wife was, and she found it healing. It took me down this sort of path and then I got to the point where I found myself having to go back to work and do my job, and it would have been great to take the Victim Compensation Fund money and use it to put my son through college or for retirement. But the crux of it was, I was so messed up in the head, making rational decisions was impossible for me. As the money which we were using for life started to dwindle, I had to face the loss of my father all over again. I am still in the same kind of work. My dad loved cars. He was always very proud of the BMWs that he used to buy. Cars were one of our connection points. We both loved cars. Once just after 9/11 I wanted to just sit in his car. But when I went downstairs to go sit in the car, it was not there because it was at the bottom of the World Trade Center. He was always upgrading stereos and I was sometimes the benefactor of that. I still have his old stuff which absolutely does not fit in my apartment at all. My system is sixteen to eighteen years old but I cram it into my apartment as a way to remember him. Oddly enough, the speakers look exactly like the Twin Towers. They are tall and have the same profile.

Declaration of Samuel Straub, ¶¶5, 7, 8, 11, 14.

FAMILY OF JENNIFER TINO

Decedent Jennifer Tino worked on the 96th Floor of the North Tower of the WTC. In July of 2001, Jennifer passed all sections of the Certified Public Accountant (“CPA”) examination. She was one four children. 9/11 Decedent Jennifer Tino is survived by her father, Salvatore Tino Jr., and two brothers, Jeffrey Tino and Salvatore Tino, III, all of whom are Plaintiffs in this case. She is also survived by her mother, Joan Tino, who is the Personal Representative of the Estate of Jennifer Tino, and her sister, Pamela Schiele, both of whom were plaintiffs in Havlish individually, as well as on behalf of the Estate of Jennifer Tino.

Category A -- Immediate Family Members

293. 9/11 Decedent Jennifer Tino is survived by her father, **Salvatore Tino, Jr.** (listed as “Salvatore Tino” in the Complaint). He states in his Declaration:

Her bedroom remained untouched for seven years after her death because I could not bring myself to disturb her things. Since 9/11/2001, I have not had a life. My daughter was my life. She was the only one of my four children not married. We were her family. Jennifer helped us with our bills and took care of us when we were sick. Every day is a mental and emotional hardship. I have been so distraught that I have made rash decisions which have adversely impacted my business and income.

Declaration of Salvatore Tino, Jr., ¶¶9, 8.

Salvatore Tino, Jr.’s other daughter, Pamela Schiele, wrote about her father in her

Havlish Declaration:

[A]fter September 11th, 2001, there was more paperwork to be filled out than I could have ever imagined. The sheer volume of paperwork was overwhelming. My father told me, “I can’t do this. I don’t want to live anymore. I cannot support your mother. I cannot even support myself!”

¶5 Havlish Declaration of Pamela Schiele.

294. Decedent Jennifer Tino is survived by her brother **Jeffrey Tino**. Jeffrey Tino, recalls his childhood with Jennifer:

I was the second youngest child and Jennifer was the baby. We were the last two at home and because of this we were very close. Behind our house was a brook with running water, my sister and I used to play in the brook and catch lightning bugs. I now work 15 minutes away from the cemetery where she is buried and I go there once a week. I miss her terribly and she is my angel. Thoughts of her get me through the bad times. Life is short and I try to cherish every moment with the people I love, because one never knows when they will be taken away.

Declaration of Jeffrey Tino, ¶¶4, 12.

295. Decedent Jennifer Tino is survived by her brother, **Salvatore Tino, III**, (named in the Complaint as “Salvatore Tino, Jr.”) who wrote in his declaration:

My life has changed tremendously. I am not the person that my wife married over twenty three years ago. I did not think about losing a family member, I was easy going and did not thinking about the future and what it might bring. I am bitter and angry about what they did to my sister. She was a bright, young, smart woman who just passed her CPA exam. It torments me that her life ended horrifically.

Declaration of Salvatore Tino, III, ¶6.

FAMILY OF JEANMARIE WALLENDORF

Jeanmarie Wallendorf worked for Keefe, Bruyette & Woods, Inc. on the 89th Floor of the South Tower of the WTC. Jeanmarie Wallendorf was last known to be on the 86th Floor of the South Tower. Christina Barton Pence, the surviving mother of Jeanmarie Wallendorf, was a plaintiff in Havlish individually and as the Personal Representative of the Estate of Jeanmarie Wallendorf. 9/11 Decedent Jeanmarie Wallendorf is also survived by her siblings, Joseph Nicklo, John Barton, Christopher Barton, and Mellanie Chafe, all of whom are plaintiffs in this case. All shared the same mother with whom they lived as one family. Declaration of Christine Ann Pence, ¶5.

Category A -- Immediate Family Members

296. Decedent Jeanmarie Wallendorf is survived by her half-brother, **Joseph Nicklo**. Joseph and his sister shared a close relationship.

Jamie, as we called her, was only 23 when she died. I was 19 at the time. I am now 31. Until Jeanmarie moved to New York, when she was just out of high school, we were inseparable. We had different fathers, but I did not know that my dad was not her biological father until I was about seven years old. It is better now between me and my mom, but our relationship is still not like it used to be. Our family fell apart after 9/11. My mom got divorced, and I really liked my step-dad. I think that was detrimental to my younger brothers and sister. After Jeanmarie died our mom acted like we did not have a family anymore. I cannot remember the last time we had Thanksgiving together. Then my younger sister Mellanie started hosting Thanksgiving and Christmas. But for the longest time we did not have Christmas. My mom was really bitter and mean. She was not the same person. My mom and I definitely grew far apart after Jamie's death but we are starting to get closer.

Declaration of Joseph Nicklo, ¶¶4, 15.

297. Decedent Jeanmarie Wallendorf is survived by her half-brother, **Christopher Barton**. In his declaration, he talks about the destructive impact her death on 9/11 had on him and his family:

Life changed a lot after my mom came back from New York. My dad moved out because they were fighting and my mother was depressed from the whole situation. When they divorced, everything changed. They never really told me the reason they got divorced except that it was not my fault. After 9/11, my mom was never the same. For years it was like she was just going through the phases of her life, almost like she wasn't there. For a long time I did not understand. I was only six or seven years old, but I worried about what was happening to our family. After my parents got divorced my mom remarried. Then we moved to a small town in northwest Georgia, up in the mountains. I felt as if we were barely living. We never had enough money for anything except the bare essentials. My mom and her husband argued about money almost every day. My stepdad would leave for a few weeks every few months, whenever he got sick of being around us.

Declaration of Christopher Barton, ¶¶6 9.

His mother divorced in 2012. Since his graduation from high school, Christopher floundered, drifting from one low paying job to another.

Almost every day I think of what my life would have been like if Jamie had not died. I mostly think of what kind of life she would have had. I know Jamie was engaged before 9/11. I think of seeing my little nieces or nephews and all of the vacations our entire family would still have, like we used to before all of this happened. Even though Jamie lived in New York and we lived in Florida, we still saw her at least two or three times a year. Life for my entire family would be 180 degrees different from the way it has been. I believe everything would be better if

she was still here.

Declaration of Christopher Barton, ¶¶6 9 10.

298. Decedent Jeanmarie Wallendorf is survived by her half-sister, **Mellanie Chafe**. At the time of the attacks, Mellanie Chafe was a high school sophomore. She writes in her Declaration:

I have an empty feeling when I hear people talk about their sisters. I had only one sister, and she was taken from our family on 9/11. I miss hearing Jeanmarie's voice and having an older sister. I miss having another female to share things with and I wish she was here to meet my husband and see how I've grown up.

Declaration of Mellanie Chafe, ¶12.

299. Decedent Jeanmarie Wallendorf is survived by her half-brother, **John Barton, a minor**.

Christina Barton Pence is the parent and natural guardian of John Barton, a minor, and she brings this claim on his behalf. His mother writes in her Declaration on John's behalf:

John was 5 years old at the time of the terrorist attacks and had started kindergarten. Now 15, he probably keeps to himself more than he should. However, John has started acting out during the past year. John will break down and cry even over the smallest of things. He is a very nervous child and very unsure of himself. Recently, he began pulling out his own hair. I definitely believe that John's problems are a result of the negative effect that [Jeanmarie's] death had on our family.

Declaration of Christina Pence on Behalf of John Barton, a minor, ¶¶4, 7, 9.

FAMILY OF META WALLER

Category C – Other Functional Equivalents of Immediate Family Members

300. Decedent Meta Waller is survived by her nephew, **Adam C. Fuller**. Adam C. Fuller will file a motion for voluntary dismissal with this Court.
301. Decedent Meta Waller is survived by her niece, **Nina Fuller**.

FAMILY OF TIMOTHY RAYMOND WARD

Decedent Timothy Raymond Ward was a passenger on United Airlines Flight 175 which was hijacked and flown into the South Tower of the WTC. Doyle Raymond Ward ("Ray") was

the surviving father of Timothy Raymond Ward and the Personal Representative of the Estate of Timothy Raymond Ward. Both the Estate of Timothy Raymond Ward and Doyle Raymond Ward, individually on his own behalf were plaintiffs in Havlish. Decedent Timothy Raymond Ward, an only child of his mother and father, is also survived by additional family members, who are plaintiffs in this case, including a stepmother, Norma Ward, and two stepsisters, Jessica Kramer and Christi Pendergraft. The evidence presented from Norma Ward and her daughters, exhibits the close family relationships of 9/11 Decedent Timothy Raymond Ward's step-parents and step-siblings who lived with, and shared a childhood with him.

Category A -- Immediate Family Members

302. Decedent Timothy Raymond Ward was survived by his mother, **Susanne Ward Baker**, who recently died. Michael Paige is the Personal Representative of the Estate of Susanne Ward Baker, and he submits news interviews of Susanne over the years on 9/11 anniversaries, speaking about her only son, 9/11 Decedent Timothy Raymond Ward. See Declaration of Michael Paige, Personal Representative of Susanne Ward Baker. A suggestion of death has been filed with this Court, and her estate was substituted as a party plaintiff.

Category B – Functional Equivalents of Immediate Family Members

303. Decedent Timothy Raymond Ward is survived by his stepmother, **Norma Ward**. Norma Ward met Doyle Raymond Ward, the decedent's father, in 1981 when she was a single mother raising two young daughters. Tim was a teenager, living with his father Ray at the time; he was Ray's only child. Norma and Ray were married two years later and the relationship between Tim and his stepmother grew closer when they began living together. Tim continued living with his father and stepmother when he attended a local college for a year. Norma states in her Declaration:

We were a nice, close-knit family. On the morning of 9/11, I had gotten up and had the news on while I was getting ready for work. Ray had retired in June of

2000, but that morning he had gone down to the shop to see his brother. He came home while I was watching the news. Then, I went to work. I was in the vault with the auditors ... when my assistant came in and told me that there was someone on the phone saying it was very important.... It was Tim's girlfriend, Linda on the phone. She said that Tim had flown out of Boston on a United Airlines flight that morning, and she could not contact him. She called his workplace and they could not contact him either. She said United Airlines would not tell her anything because she and Tim were not officially married. Hearing this I immediately left work, went home and called United. At that time, United could not confirm whether Tim was on the flight that crashed into the World Trade Center.... It was not until five o'clock in the afternoon that I got the phone call from United confirming that Tim was on that flight. After that, the TV news reporter called, the newspapers called, and Ray left it up to me to do most of the communication with the media....

Declaration of Norma Ward, ¶¶4, 9.

304. Decedent Timothy Raymond Ward is survived by his stepsister, **Jessica Kramer**. In her Declaration, Jessica explains:

I was 9 and my sister, Christi was 4 when we first met Tim in the summer of 1981 when our mother started dating Tim's father Ray. We would go places and do things together as a family.... Tim left Visalia, CA where we lived, to attend college at San Diego State ... but he worked for his dad and lived with us every summer. Tim was also with us for the holidays.... Tim continued to live and work in San Diego when he graduated from college but we went to San Diego at least twice a year to visit him, on his birthday and for his Dad's birthday. Tim also came to our house for holidays and vacations with his dad. Tim was a wonderful step brother, very kind and considerate. I was devastated to learn that Tim was aboard United Flight 175 that morning. I honestly do not remember the specifics regarding the conversation. I simply remember feeling physically sick to my stomach as I broke down and began sobbing uncontrollably. The immediate grief was overwhelming, but anger soon followed. I will never forget the way my step-dad looked that day waiting to get confirmation if Tim was aboard that plane or not. The worried look on his face haunts me to this day.

Declaration of Jessica Kramer, ¶¶5, 7, 9.

305. Decedent Timothy Raymond Ward is survived by his step sister, **Christi Pendergraft**. In her Declaration, Christi describes growing up with Tim:

Tim and I met when my mother and his father started dating. I was just six years old when I met Tim and he was in his junior or senior year in high school. We met soon after our parents began dating because the first year of them dating we

did a lot of family trips together; camping trips, going up skiing, and the beach. Tim was a great big brother. I was kind of a tom-boy, so I really enjoyed running around with Tim and his buddies. I did not have a brother until Tim so it was great to all of a sudden get a big brother. Tim went away to college soon after my mother married his father.... Tim was the biggest sweetheart. When I was younger Tim and I went ATV'ing together. Tim would ride me around when I was little. I loved that. He also taught me how to drive an ATV. Tim was very into sports and an outdoorsy kind of guy. He got his love of sports from his father. I was really not into sports so much, but we watched football and NASCAR at home. My mom's side of the family is very into racing. That was another interest Tim and I shared. The year 2001 was pretty much the year from hell for our family. Our family kind of fell apart even more after that. We were hit with quite a lot that year. My brother-in-law (my sister's husband) had a severe head injury ... and my cousin lost his life that year also.... At that time I did not seek counseling or a doctor's help. Instead I began to self medicate. So, that turned into a bad issue for me that year also, one which I am still fighting today.

Declaration of Christi Pendergraft, ¶¶4, 8.

Category C – Other Functional Equivalents of Immediate Family Members

306. Decedent Timothy Raymond Ward is survived by his, uncle, **Robert Ward**. Robert Ward will file a motion for voluntary dismissal with this Court.
307. Decedent Timothy Raymond Ward is survived by his, uncle, **Carl Ward**. Carl Ward will file a motion for voluntary dismissal with this Court.
308. Decedent Timothy Raymond Ward is survived by his, uncle, **Richard Ward**. Richard Ward will file a motion for voluntary dismissal with this Court.
309. Decedent Timothy Raymond Ward is survived by his, niece, **Brianna Scoggins**. Brianna Scoggins will file a motion for voluntary dismissal with this Court.
310. Decedent Timothy Raymond Ward is survived by his, nephew, **Shawn Pendergraft**. Shawn Pendergraft will file a motion for voluntary dismissal with this Court.
311. Decedent Timothy Raymond Ward is survived by his, nephew, **Charles Pendergraft**. Charles Pendergraft will file a motion for voluntary dismissal with this Court.
312. Decedent Timothy Raymond Ward is survived by his, cousin, **Julie Tyler**. Julie Tyler will file a

motion for voluntary dismissal with this Court.

- 313. Decedent Timothy Raymond Ward is survived by his, cousin, **Mike Smith**.
- 314. Decedent Timothy Raymond Ward is survived by his, cousin, **Jason Smith**.
- 315. Decedent Timothy Raymond Ward is survived by his, cousin, **Lance Ward**.
- 316. Decedent Timothy Raymond Ward is survived by his, cousin, **Marc Ward**.

FAMILY OF WILLIAM WILSON

Category A – Immediate Family

William Wilson was employed by AON, Inc. and worked in the South Tower of the WTC. William Wilson had two siblings. One is Maureen Halvorson, who was a plaintiff in Havlish; she also presented claims in Havlish on behalf of both her husband and her brother who were killed in the 9/11 attacks. The other, Jeanne McDermott, is a Plaintiff in this case.

- 317. Decedent William Wilson is survived by his sister, **Jeanne McDermott**, a citizen of the United States and a resident of the State of New York. Jeanne McDermott, in her Declaration, explains:

My brother, Bill Wilson and my sister Maureen's husband, Jim Halvorson, worked in the Twin Towers. One worked in the South Tower and the other in the North Tower. When I walked into my office I immediately called my brother to tell him to get out of there.... I spoke to my sister, who knew immediately that her husband was gone.... Jim's office was right where the plane hit the North Tower. After the second plane hit, I grabbed my things and left work sobbing, to go home.... My husband was also downtown on that horrific day and I was panicked because I could not get in touch with him. Part of my anxiety was due to the fact that his office was right next door to the Twin Towers.... After an excruciating wait, my husband was able to get in contact with me.... Two-thirds of my adult male family was wiped out that day. After 9/11 we knew that James, Maureen's husband, was most likely killed on impact. But we did not know about Bill. In fact, we did not know for days. We kept hoping that he would turn up. I had talked to people at his firm and discovered that he was last seen on the 85th floor. Everyone had to change elevators on the 85th floor; somebody had seen him standing there with a cup of coffee. My family life is totally different now. We are lacking two very important members of my family.... My brother and sister and our families always spent the holidays together. Family gatherings are now so small. My fondest memories of him were at holiday times when the three Wilson children and their spouses were always together. My brother Bill and I

were very close. He called me practically every day. He was a wonderful big brother. He was upbeat, smiling, and well liked.... Bill was the oldest of the three siblings. Born within three years of each other, we were very close in age, and we all had a good time together.

Declaration of Jeanne McDermott, ¶¶4, 5, 7, 9.

FAMILY OF MARK SCOTT ZEPLIN

Mark Scott Zeplin worked for Cantor Fitzgerald on the 104th Floor of the South Tower of the WTC. His estate is represented by his wife, Debra Zeplin, who also makes a claim individually in her own right and also asserts claims on behalf of their two minor children, Ryan Zeplin and Ethan Zeplin. Decedent Marc Scott Zeplin was also survived by his parents and a sibling, who were plaintiffs in Havlish.

318. The **Estate of Marc Scott Zeplin** is a Plaintiff in this case, and is represented by the Estate's Personal Representative, his wife, Debra Zeplin. Marc Zeplin was heard on the interoffice "squawk box" saying they could not breathe because of the smoke and that they were under their desks trying to get air. Declaration of Debra Zeplin, ¶10.

The *New York Times* ran a photograph on the front page shortly after the attacks depicting workers in the North Tower Standing at the windows to get oxygen and to avoid the flames. The photo appeared to show an area near Marc's office. I had the photo enlarged and I recognized that it was Marc in the picture based on the shape of his head and by what he was wearing. It was a horrible feeling to see my husband in such a desperate and helpless situation. I cannot imagine how he must have suffered that day. Marc's body was never recovered. The only thing I recovered from him was his charred Cantor Fitzgerald identification card.

Declaration of Debra Zeplin, ¶12.

Category A -- Immediate Family Members

319. Decedent Marc Scott Zeplin is survived by his spouse, **Debra Zeplin**, who is a citizen of the United States and a resident of the State of New York.

I did not allow myself to fall apart, because although the children were young they would have sensed my distress and become upset as well. The family

searched in the city for days to try to find Marc and I realized by the end of the day Wednesday that Marc had not survived. It was the most devastating moment of my life.” Declaration of Debra Zeplin. “September 11th destroyed my life and dreams and those of our children. I lost the greatest husband and an amazing father to my children.

Declaration of Debra Zeplin, ¶¶11, 20.

320. Decedent Marc Scott Zeplin is survived by his child, **Ryan Zeplin, a minor**. Plaintiff Debra Zeplin, as parent and natural guardian of Ryan Zeplin, states in her Declaration:

Ryan read Marc’s name at the 10th anniversary memorial ceremony down at Ground Zero. His Bar Mitzvah was on October 22, 2011. It was very sad that Marc was not there for the Bar Mitzvah. We showed a very moving video as a tribute to him and there was not a dry eye in the room.

Declaration of Debra Zeplin, ¶18.

321. Decedent Marc Scott Zeplin is survived by his child, **Ethan Zeplin, a minor**. Plaintiff Debra Zeplin, as parent and natural guardian of Ethan Zeplin, explained in her Declaration:

A year later, in 2012, Ethan read Marc’s name at the memorial ceremony which was very stressful for him. After the 9/11 anniversary he had so much anxiety that he could barely function. He became depressed and had angry outbursts and could not even make it through a school day. He needed to see the school psychologist on a daily basis. He still receives weekly treatments from a psychologist and psychiatrist and is currently taking a variety of medications to help him with his anxiety disorder. On October 19, 2013, Ethan had his Bar Mitzvah which was another bitter sweet family event. Once again we showed pictures of Marc in the montage and lit a candle in his memory. It was not easy emotionally for any one, especially our family.

Declaration of Debra Zeplin, ¶18.